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ACTS
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ACTS

OF THE

PARLIAMENT

OF THE

DOMINION OF CANADA

PASSED IN THE SESSION HELD IN THE

FOURTEENTH AND FIFTEENTH YEARS OF THE REIGN
OF HIS MAJESTY

KING GEORGE VI

BEING THE

THIRD SESSION OF THE TWENTY-FIRST PARLIAMENT

Begun and holden at Ottawa, on the Twenty-ninth day of August, 1950, and
closed by Prorogation on the Twenty-ninth day of January, 1951.



FIELD MARSHAL THE RIGHT HONOURABLE
VISCOUNT ALEXANDER OF TUNIS
GOVERNOR GENERAL

PUBLIC GENERAL ACTS

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OTTAWA
PRINTED BY EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
LAW PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
ANNO DOMINI 1951

14-15 GEORGE VI.

CHAP. 1.

An Act to provide for the Resumption of Operations of Railways and for the Settlement of the Existing Dispute with respect to Terms and Conditions of Employment between Railway Companies and their Employees.

[Assented to 30th August, 1950.]

WHEREAS the operation of railways and subsidiary services serving the country as a whole has been suspended by reason of a failure of the railway companies and the bargaining agents of non-operating and certain other employees of the companies to reach agreement as to certain terms and conditions of employment; Preamble.

AND WHEREAS the vital interests of the people of Canada and the welfare and security of the nation are imperilled by the suspension of operation of the railways, particularly in existing international conditions;

AND WHEREAS the railway companies and the bargaining agents of the employees appear to have agreed that existing wage rates should be increased, and the forty hour week introduced but appear to have been unable to agree as to the amount and effective date of the wage increase or the date at which the forty hour week would be effective and the terms and conditions upon which it would be introduced;

AND WHEREAS it is essential to protect the interests of the people of Canada and the welfare and security of the nation that operation of the railways be resumed immediately and that for this purpose provision be made for provisional terms and conditions of employment of employees and for the final settlement thereof;

NOW THEREFORE His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. This Act may be cited as *The Maintenance of Railway Operation Act*. Short title.

Railway
services
to be
resumed.

2. Within forty-eight hours after the commencement of this Act every railway company shall resume operation of the railway and subsidiary services the operation of which is suspended by reason of the strike now existing and every employee who is now on strike shall return to the duties of his employment with the railway company by which he is employed.

Terms of
collective
agreements
provisionally
amended.

3. The terms of each collective agreement to which this Act applies are provisionally amended forthwith by increasing by four cents per hour each rate of wages established by or pursuant to the agreement.

Term of
collective
agreements
extended.

4. (1) Subject to amendment of its terms and conditions in accordance with this Act, the term of each collective agreement to which this Act applies is extended to include the period beginning on the commencement of this Act and ending on the day on which a new collective agreement entered into between the parties thereto in amendment or revision thereof comes into effect, or on which the arbitrator by a decision under this Act fixes the term of a collective agreement to be entered into in amendment or revision thereof, whichever is the earlier.

Terms and
conditions
to be effective
and binding
for period
mentioned
in ss. (1).
1947-48, c. 54.

(2) The terms and conditions of a collective agreement mentioned in subsection one, amended as provided in this Act, shall be effective and binding on the parties thereto for the period therein mentioned notwithstanding anything contained in *The Industrial Relations and Disputes Investigation Act* or in the agreement and that Act shall apply in respect of the agreement as so amended as if the period during which the agreement was extended by this section were the term of the agreement.

If agreement
not reached
within
thirty days
after com-
mencement
of this Act.

5. (1) If within thirty days after the commencement of this Act, or such longer period as may be fixed by the Governor in Council at the joint request of a railway company and a union, agreement has not been reached between them either as to the terms of a collective agreement in revision or amendment of a collective agreement to which this Act applies or as to an arbitrator to decide such terms, the Governor in Council shall appoint an arbitrator to decide all matters not then agreed upon between them that appear to the arbitrator necessary to be decided for conclusion of such a collective agreement, including the fixing of a term during which the collective agreement shall operate and, subject to subsection two, the fixing of a day or days, whether before or after the decision of the arbitrator, to which the terms of the collective agreement may be retroactive.

G. in C.
to appoint
arbitrator.

(2) The arbitrator shall, with all convenient dispatch, determine and decide from time to time the matters that have not been agreed upon mentioned in subsection one, and if the arbitrator decides that rates of wages fixed by or pursuant to a collective agreement to which this Act applies shall be increased other than by reason of a reduction in the number of hours of work required to be performed each week, the increased rates of wages shall be retroactive to a day not later than the day on which the employees return to work pursuant to this Act.

Duties of arbitrator.

Retroactivity of increased rates.

(3) In deciding any matter under this section, the arbitrator shall decide the matter within the limits of the proposals that he determines were made by the railway companies and the unions in respect of that matter at the time negotiations were terminated between them on the twenty-sixth day of August, nineteen hundred and fifty, or were made by either of them after the commencement of this Act at any time before the matter came before him and which narrow these limits, but the arbitrator by his decision shall not provide for a reduction in a rate of wages established pursuant to section three.

Arbitrator to decide within limits of proposals.

(4) Where the arbitrator has decided any matter not agreed upon between a railway company and a union mentioned in subsection one, the railway company and the union shall give effect to the decision and shall conclude a collective agreement for that purpose and until they do so the collective agreement to which this Act applies to which they are parties shall be deemed for the purposes of *The Industrial Relations and Disputes Investigation Act* to have been amended, *mutatis mutandis*, to give effect to the decision and to have effect, notwithstanding anything in that Act, for the term fixed by the arbitrator, but nothing in this section shall be deemed to limit or restrict the rights of parties to the agreement to agree to vary or amend any of the terms of the agreement as so amended and to give effect thereto.

Railway company and union to give effect to decision of arbitrator on matters not agreed upon between company and union, 1947-48, c. 54.

(5) The arbitrator may establish the procedure to be followed for the purposes of the arbitration.

Procedure.

(6) The arbitrator shall, for the purposes of the arbitration, have all the powers conferred on a conciliation board under sections thirty-three and thirty-four of *The Industrial Relations and Disputes Investigation Act* for the purpose of conciliation proceedings.

Powers of arbitrator. 1947-48, c. 54.

6. No person acting on behalf of a railway company shall refuse to permit, or authorize or direct another person to refuse to permit an employee who has gone on strike before the commencement of this Act to return to the

Return to work not to be denied and strikers not to be discharged.

performance of the duties of his employment with the railway company or discharge, or authorize or direct another person to discharge such an employee by reason of the employee having gone on strike.

Union representatives to give notice that previous strike declaration, etc. has become invalid.

7. Each person who at the beginning of the strike of employees now existing was authorized on behalf of a union to bargain collectively with a railway company for the revision or amendment of a collective agreement to which this Act applies, shall forthwith give notice to the members of the union that any declaration, authorization or direction to go on strike, declared, authorized, or given to them before the commencement of this Act has become invalid by reason of the coming into force of this Act.

Interpretation.

"arbitrator".

8. In this Act

(a) "arbitrator" means an arbitrator appointed under section five;

"collective agreement to which this Act applies."

(b) "collective agreement to which this Act applies" means a collective agreement between a railway company and a union the revision or amendment of which was the subject of negotiations between the railway company and the union on the twenty-first day of August, nineteen hundred and fifty, under the provisions of *The Industrial Relations and Disputes Investigation Act*;

"employee."

(c) "employee" means an employee of a railway company bound by a collective agreement to which this Act applies, or on whose behalf such a collective agreement has been entered into between the railway company and a union representing the employee;

"railway company."

(d) "railway company" means a company, commission or association listed in Schedule A;

"union."

(e) "union" means a trade union listed in Schedule B; and

Other words and expressions.

(f) other words and expressions have the same meaning as in *The Industrial Relations and Disputes Investigation Act*.

1947-48, c. 54.

SCHEDULE A.

Canadian Pacific Railway Company
Dominion Atlantic Railway Company
Esquimalt and Nanaimo Railway Company
Quebec Central Railway Company
Canadian Pacific Express Company
Eastern Abattoirs Limited, Montreal, Que.
New Brunswick Cold Storage Company Limited, Saint
John, N.B.

Canadian National Railways

Canadian National Railway Company
Montreal and Southern Counties Railway Company
Niagara, St. Catharines and Toronto Railway Company
Thousand Islands Railway Company
Canadian National Telegraph Company
Canadian National Steamship Company Limited
Canadian National Transportation Limited, Port Arthur,
Ont.

Northern Alberta Railway Company

Montreal Stockyards Company

Toronto Terminals Railway Company

The Public Markets Limited, St. Boniface, Man.

Ontario Northland Transportation Commission

The Toronto, Hamilton and Buffalo Railway Company

The Railway Association of Canada

Vancouver Hotel Company Limited.

SCHEDULE B.

Commercial Telegraphers' Union of North America
 Brotherhood of Railroad Signalmen of America
 International Brotherhood of Electrical Workers
 Canadian Brotherhood of Railway Employees and Other
 Transport Workers
 Brotherhood of Express Employees
 The Order of Railroad Telegraphers
 Brotherhood of Maintenance of Way Employees
 Brotherhood of Railway and Steamship Clerks, Freight
 Handlers, Express and Station Employees
 International Brotherhood of Blacksmiths, Drop Forgers
 and Helpers
 International Association of Machinists
 United Association of Journeymen and Apprentices of the
 Plumbing and Pipe Fitting Industry of the United States
 and Canada
 Brotherhood of Railway Carmen of America
 International Brotherhood of Boiler Makers, Iron Ship
 Builders and Helpers of America
 Sheet Metal Workers' International Association
 International Moulders and Foundry Workers' Union of
 North America
 International Brotherhood of Firemen and Oilers, Power
 Plant Employees, Roundhouse and Railway Shop
 Labourers
 Hotel and Restaurant Employees and Bartenders' Inter-
 national Union.

OTTAWA: Printed by EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
 Law Printer to the King's Most Excellent Majesty.

14-15 GEORGE VI.

CHAP. 2.

An Act respecting the Canadian Forces.

[Assented to 9th September, 1950.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. This Act may be cited as *The Canadian Forces Act*, Short title 1950.

2. Subsection five of section sixteen of *The National Defence Act*, chapter forty-three of the statutes of 1950 (First Session), is repealed and the following substituted therefor:

“(5) In an emergency or if considered desirable in consequence of any action undertaken by Canada under the United Nations Charter, the North Atlantic Treaty or any other similar instrument for collective defence that may be entered into by Canada, the Governor in Council may establish and authorize the maintenance of components of the Services of the Canadian Forces, referred to in this Act as the active service forces, consisting of

(a) officers and men of the regular forces and the reserve forces who are placed in the active service forces under conditions prescribed in regulations; and

(b) officers and men, not of the regular forces or the reserve forces, who are enrolled in the active service forces for continuing, full-time military service.”

3. Subsection three of section twenty-seven of the said Act is repealed and the following substituted therefor:

“(3) Where a person who, by virtue of subsection two, is deemed to be an officer or man, claims to be released within three months, reckoned from the date on which his pay commenced, and establishes the error or irregularity in his enrolment or re-engagement, he shall, except during an emergency or when he is on active service, be released.”

Active
service
forces.

Provision
for release.

4. (1) Subsection one of section thirty-one of the said Act is repealed and the following substituted therefor:

Entitlement.

“31. (1) Except during an emergency or when he is on active service, an officer or man is entitled to be released at the expiration of the term of service for which he is enrolled or re-engaged.”

(2) Subsection three of section thirty-one of the said Act is repealed and the following substituted therefor:

Exception in emergency or when on active service.

“(3) Where the term of service for which an officer or man is enrolled or re-engaged expires during an emergency or when he is on active service or within one year after the expiration of an emergency or after he has ceased to be on active service, he is liable to serve until the expiration of one year after the emergency has ceased to exist or after he has ceased to be on active service, as the case may be.”

5. Subsection one of section thirty-two of the said Act is repealed and the following substituted therefor:

Placing forces on active service.

“32. (1) The Governor in Council may place the Canadian Forces or any Service, component, unit or other element thereof or any officer or man thereof on active service anywhere in or beyond Canada at any time when it appears advisable so to do

(a) by reason of an emergency, for the defence of Canada; or

(b) in consequence of any action undertaken by Canada under the United Nations Charter, the North Atlantic Treaty or any other similar instrument for collective defence that may be entered into by Canada.”

Special provision respecting pensions 1950 (1st Sess.) c. 32.

6. (1) Subject to subsection two, the Governor in Council may direct that *The Defence Services Pension Act* or any Part thereof shall not apply to any officer or man, or class of officers or men, who, subsequent to the fifth day of July, nineteen hundred and fifty, are appointed, transferred or posted to, or enlisted or enrolled in or serving with, any force designated by the Governor in Council as a special force for the purposes of this section.

Existing rights preserved.

(2) No direction made under this section shall affect the status or prejudice any rights, benefits or privileges that any person had under the *Militia Pension Act* on or before the fifth day of July, nineteen hundred and fifty, and neither this Act nor *An Act to amend the Militia Pension Act and change the Title thereof*, chapter thirty-two of the statutes of 1950 (First Session), shall have the effect of reducing the amount of the pension being paid to any person under the *Militia Pension Act* prior to that date.

7. (1) The Governor in Council may by regulation provide that all or any of the enactments set out in the Schedule shall, in such manner as the Governor in Council may prescribe, apply to

Extension
of veterans
legislation.

(a) any or all persons who, subsequent to the fifth day of July, nineteen hundred and fifty, were appointed, transferred or posted to, or enlisted or enrolled in or serving with, any force designated by the Governor in Council as a special force for the purposes of this section; and

(b) the service of such persons in any such special force.

(2) Nothing in any regulation made under subsection one shall prejudice any rights, benefits or privileges that any person had, under any of the enactments set out in the Schedule, prior to the coming into force of this Act.

Existing
rights
preserved

(3) Every regulation made under this section shall be published forthwith in the *Canada Gazette* and shall be laid before Parliament within ten days after publication thereof, or, if Parliament is not then in session, within ten days after the commencement of the next ensuing session thereof.

Publication
and laying
before
Parliament.

8. (1) This Act shall be deemed to have come into force on the fifth day of July, nineteen hundred and fifty.

Coming
into force.

(2) Section seven of this Act shall expire on the last day of the first session of Parliament in nineteen hundred and fifty-one.

Expiration
of s. 7.

SCHEDULE

Sections 28, 29 and 30 of the *Civil Service Act*.

Subsection (2) of section 2, section 5A and subsections (4) and (7) of section 7A of the *Civil Service Superannuation Act*.

The Pension Act.

Part IV of *The Unemployment Insurance Act, 1940.*

The Veterans' Land Act, 1942.

The Veterans Insurance Act.

The War Service Grants Act, 1944.

The Department of Veterans Affairs Act.

The Veterans Rehabilitation Act.

The Veterans' Business and Professional Loans Act.

The War Veterans' Allowance Act, 1946.

The Reinstatement in Civil Employment Act, 1946.

14-15 GEORGE VI.

CHAP. 3.

An Act to make Temporary Provision for the Regulation
of Consumer Credit.

[Assented to 15th September, 1950.]

WHEREAS in the preamble to *The Essential Materials* Preamble.
(*Defence*) Act it is recited that in order to avert possible
disruption of the defence preparations therein referred to,
to lessen the resultant disruption of normal trade and
commerce and to prevent economic disorder and hardship
on a national scale, it is essential in the interest of Canada
as a whole to provide for the control and regulation of the
production, distribution and use of the materials and services
therein referred to; and such defence preparations may be
expected to expand purchasing power and the demand for
consumer goods, and at the same time limit the quantity
of consumer goods available for ordinary or civilian require-
ments; and it may therefore be necessary, as a further meas-
sure to counteract possible adverse effects of these develop-
ments upon such defence preparations, normal trade and
commerce and the economic life of the nation, to take steps
to restrain the expansion of purchasing power and the
demand for consumer goods by preventing inflationary ex-
pansion of currency and credit; and it is therefore essential
in the interest of Canada as a whole to provide for the re-
striction of consumer credit: Therefore, His Majesty, by and
with the advice and consent of the Senate and House of
Commons of Canada, enacts as follows:

1. This Act may be cited as *The Consumer Credit (Tem-* Short title.
porary Provisions) Act.

2. In this Act,

(a) "charge account" means an agreement or arrange-
ment between buyer and seller under which the buyer
has the privilege of obtaining possession of and title to
goods without paying the price thereof in full on or

Definitions.

"charge
account".

before delivery, on condition that such price or any unpaid balance of such price shall be due and payable in full in a lump sum;

"consumer goods".

(b) "consumer goods" means any goods or class of goods declared by the Governor in Council to be consumer goods for the purposes of this Act;

"conditional sale contract".

(c) "conditional sale contract" means any agreement, other than a charge account, under the terms of which a buyer is to obtain possession of any goods without paying the price thereof in full at or before the time of delivery, and includes

(i) a conditional sale agreement or other document reserving ownership of any goods to the seller until the price thereof has been paid in full,

(ii) a hire-purchase agreement or other document under the terms of which a person hires or leases any goods with the option of purchasing such goods and is entitled to become the owner thereof upon payment in full of a specified sum of money, and

(iii) a chattel mortgage or other document, creating or reserving any lien, privilege, hypothec or other encumbrance securing the price or hire of any goods; and

"sold at retail".

"purchased at retail".

(d) "sold at retail" means sold for any purpose other than re-sale, and "purchased at retail" has a corresponding meaning.

Regulations

3. (1) The Governor in Council may, for the purpose of restricting consumer credit, make regulations with respect to the terms of

(a) payment for consumer goods sold at retail under a conditional sale contract or any goods sold at retail under a charge account,

(b) the repayment of loans wholly or partially secured on consumer goods purchased by the borrower at retail,

(c) the repayment of loans, the proceeds of which are used to pay for consumer goods purchased by the borrower at retail,

and with respect to the amount of loans referred to in paragraphs (b) and (c).

Idem

(2) The Governor in Council may, for carrying out the purposes and provisions of this Act and the regulations made under subsection one, make regulations

(a) providing for the inspection of premises and the examination of any goods, books or records therein, and

(b) requiring any person selling goods at retail on credit to keep such records and books and to furnish such information as the Governor in Council may prescribe.

(3) The Governor in Council may prescribe a fine or a term of imprisonment or both a fine and a term of imprisonment as a penalty for violation of any regulation, and may also prescribe whether the penalty shall be imposed upon summary conviction or upon conviction under indictment or upon either summary conviction or conviction under indictment, but the fine so prescribed shall not exceed five hundred dollars for summary conviction and five thousand dollars for conviction under indictment and the term of imprisonment so prescribed shall not exceed three months for summary conviction and two years for conviction under indictment.

G. in C.
may
prescribe
penalties.

(4) Every regulation made under this Act shall be published forthwith in the *Canada Gazette* and shall be laid before Parliament within ten days after publication thereof, if Parliament is then in session, or, if Parliament is not then in session, within ten days after the commencement of the next ensuing session thereof.

Publication
and tabling
of
regulations.

4. This Act shall be administered by the Minister of Finance.

Minister of
Finance to
administer.

5. This Act shall expire on the thirty-first day of July, nineteen hundred and fifty-two: Provided that, if the Governor in Council so orders, it shall expire on an earlier day designated by him; and provided further that, if at any time while this Act is in force, addresses are presented to the Governor General by the Senate and House of Commons, respectively, praying that this Act be continued in force for a further period, and the Governor in Council so orders, this Act shall continue in force for that further period.

Expiration.

Continuation.

14-15 GEORGE VI.

CHAP. 4.

An Act to amend the Customs Tariff.

[Assented to 15th September, 1950.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Schedule A to the *Customs Tariff*, chapter forty-four of the Revised Statutes of Canada, 1927, is amended by deleting therefrom the following enumerations of goods and rates of additional duties of Customs, as enacted by section two of chapter twenty-three of the statutes of 1942-43 and section two of chapter seven of the statutes of 1943-44:

"Whiskey, brandy, rum, gin and all other goods specified in Customs Tariff Items 156 and 156b.....\$7 per gallon of the strength of proof.

Ale, beer, porter and stout.....30 cents per gallon"

and by substituting therefor the following enumerations of goods and rates of additional duties of Customs:—

"Whiskey, brandy, rum, gin and all other goods specified in the various subitems of Tariff Item 156.....\$3 per gallon of the strength of proof.

Ale, beer, porter and stout.....40 cents per gallon"

2. Section one shall be deemed to have come into force on the eighth day of September, 1950, and to have applied to all goods mentioned therein imported or taken out of warehouse for consumption on or after that day, and to have applied to goods previously imported for which no entry for consumption was made before that day.

R.S. c. 44;
1928, c. 17;
1929, c. 39;
1930 (1st
Sess.), c. 13;
1930 (2nd
Sess.), c. 3;
1931, c. 30;
1932, c. 41;
1932-33,
cc. 6, 37;
1934, cc. 32,
49;
1935, c. 28;
1936, c. 31;
1937, cc. 25,
26;
1939 (1st
Sess.), c. 41;
1939 (2nd
Sess.), c. 2;
1940, c. 29;
1940-41, c. 13;
1942-43, c. 23;
1943-44, c. 7;
1944-45, c. 36;
1946, c. 45;
1947-48,
cc. 6, 42;
1949 (2nd
Sess.), c. 15;
1950 (1st
Sess.), c. 14.

Schedule A
amended.

Date of
coming into
force.

14-15 GEORGE VI.

CHAP. 5.

An Act for granting His Majesty aid for National Defence and Security

[Assented to 15th September, 1950.]

WHEREAS the Security Council of the United Nations Preamble.
has requested the members of the United Nations to furnish to the Republic of Korea such assistance as may be necessary to repel the armed attack on the Republic and to restore international peace and security in the area, and it is considered urgently necessary that all parties to the North Atlantic Treaty take further substantial measures to provide for their common security and thus to help assure the preservation of peace, and it is in consequence necessary that aid as hereinafter provided be rendered to His Majesty: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. This Act may be cited as *The Defence Appropriation Act, 1950*. Short title.

2. (1) From and out of the Consolidated Revenue Fund there may be paid and applied, in addition to any other grants of Parliament, sums not exceeding a total of one hundred and forty-two million, two hundred thousand and two hundred dollars for defraying the charges and expenses of the naval, army, and air Services of the Canadian Forces. Appropriation \$142,200,200.

(2) His Majesty may incur commitments during the fiscal year ending the thirty-first day of March, 1951, for expenditures on the naval, army, and air Services of the Canadian Forces in subsequent fiscal years in amounts not exceeding a total of four hundred and nine million, two hundred and fifty-seven thousand, eight hundred and twenty-one dollars, in addition to the total amount of commitments for similar purposes specified in Schedule A to *The Appropriation Act, No. 4, 1950*. Commitments not exceeding \$409,257,821.

1950 (1st. Sess.), c. 55.

Commitments not exceeding \$5,310,000.

1950 (1st. Sess.), c. 55.

Appropriation \$2,000,000.

(3) His Majesty may incur commitments during the fiscal year ending the thirty-first day of March, 1951, for expenditures on defence research and development in subsequent fiscal years in amounts not exceeding a total of five million, three hundred and ten thousand dollars in addition to the total amount of the commitments for similar purposes specified in Schedule A to *The Appropriation Act, No. 4, 1950*.

(4) From and out of the Consolidated Revenue Fund there may be paid and applied, in addition to any other grant of Parliament, sums not exceeding a total of two million dollars for defraying the charges and expenses for the Land Services of the Royal Canadian Mounted Police.

G. in C may authorize production, etc., of equipment, etc. for use of Canadian Forces, etc.

Appropriation \$300,000,000.

1931, c. 27.

Transfer of equipment or supplies.

Special account.

"North Atlantic Treaty" defined.

3. (1) The Governor in Council may from time to time authorize the production, acquisition, repair and provision of equipment, services, supplies and facilities, for the use of the naval, army and air Services of the Canadian Forces and the armed forces of any party to the North Atlantic Treaty, and the construction, improvement and repair of facilities, and the acquisition, processing and storage of materials, supplies and equipment, required to produce or otherwise make available as, where and when required, any such equipment, supplies, services or facilities; and from and out of the Consolidated Revenue Fund there may be paid and applied for these purposes at any time, notwithstanding section thirty-two of *The Consolidated Revenue and Audit Act, 1931*, in addition to any other grants of Parliament, sums not exceeding a total of three hundred million dollars.

(2) The Governor in Council may from time to time, if he deems it desirable for the purposes of the North Atlantic Treaty or otherwise for the defence of Canada, authorize the transfer of defence equipment or supplies, and the provision of services or facilities for defence purposes, by Canada to any of the parties to the North Atlantic Treaty, upon such terms and conditions, if any, as the Governor in Council may specify.

(3) When any transfer of defence equipment or supplies is made under this section, and the costs of such equipment or supplies have not been paid from the appropriation made in this section, the estimated present value of such equipment or supplies shall be charged to that appropriation and a corresponding amount shall be paid into a special account in the Consolidated Revenue Fund which may be used at any time, subject to the approval of the Governor in Council, to purchase equipment or supplies for the naval, army or air Services of the Canadian Forces.

(4) For the purposes of this section the expression "North Atlantic Treaty" includes any other similar instrument for collective defence that may be entered into by Canada.

4. The Governor in Council may authorize a department or agency of the Government, on behalf of His Majesty, to purchase, produce, or otherwise acquire equipment, supplies, services or facilities for defence purposes, as principal or agent, for the Government of the United States of America, and may make expenditure from unappropriated moneys in the Consolidated Revenue Fund for this purpose to the extent that such government undertakes to reimburse His Majesty for such expenditure promptly as required under contract or upon delivery or provision of such equipment, supplies, services or facilities, and to indemnify His Majesty against any loss, including damages and costs that may accrue from cancellation and amendments, in respect of any contracts entered into under this section for the procurement of such equipment, supplies, services or facilities.

G. in C. may authorize agency of Government to purchase etc., supplies, etc., for the government of the U.S.A.

5. (1) The Governor in Council may, in addition to the sums now remaining unborrowed, and negotiable of the loans authorized by Parliament, by any Act heretofore passed, raise by way of loan, under the provisions of *The Consolidated Revenue and Audit Act, 1931*, by the issue and sale or pledge of securities of Canada, in such form, for such separate sums, at such rate of interest and upon such other terms and conditions as the Governor in Council may approve, such sums of money, not to exceed in the whole the sum of three hundred million dollars, as may be required for the purposes of this Act.

Loans authorized.

1931, c. 27.

(2) The principal raised by way of loan under this Act and the interest thereon shall be a charge upon and payable out of the Consolidated Revenue Fund.

Charge on Consolidated Revenue Fund.

14-15 GEORGE VI.

CHAP. 6.

An Act respecting Materials and Services Essential for the
Purposes of Defence and National Security.

[Assented to 15th September, 1950.]

WHEREAS, the United Nations, of which Canada is a Preamble.
member, has found it necessary in the interests of world
peace to take action to repel unprovoked aggression and to
avert war;

AND WHEREAS the Parliament of Canada has approved
action by Canada, in discharge of its obligations under the
Charter of the United Nations, to assist in the measures
taken by the United Nations;

AND WHEREAS effective action by Canada in order to
safeguard the national security and to assist the United
Nations in accordance with its obligations make it necessary
to provide for defence preparations on a greatly increased
scale;

AND WHEREAS steel and other materials and electrical
energy and other services will be urgently required for such
defence preparations and it is expected that the supply of
such materials and services may be insufficient to meet
such requirements together with the requirements of normal
trade and commerce;

AND WHEREAS, in order to avert possible disruption of
such defence preparations, to lessen the resultant disruption
of normal trade and commerce and to prevent economic
disorder and hardship on a national scale it is essential in
the interest of Canada as a whole to provide for the control
and regulation of the production, distribution and use of
such materials and services;

NOW THEREFORE, His Majesty, by and with the advice
and consent of the Senate and House of Commons of
Canada, enacts as follows:—

SHORT TITLE.

1. This Act may be cited as *The Essential Materials* Short title.
(*Defence*) Act.

INTERPRETATION.

Definitions.
"defence
purposes".

2. In this Act,

(a) "defence purposes" means the purposes of ensuring the availability and use of essential materials or services to meet the requirements of the defence forces of Canada and to ensure national security;

"essential
materials".

(b) "essential materials" means such materials and substances as are designated from time to time by the Governor in Council under section three as being essential for defence purposes;

"essential
service".

(c) "essential service" means the carrying on of any commercial activity, including the generation and distribution of electrical energy, as is designated from time to time by the Governor in Council under section three as being essential for production, storage or distribution of essential materials;

"mark-up".

(d) "mark-up" means amount added to cost in determining the selling price to cover overhead and profit;

"Minister".

(e) "Minister" means the Minister of Trade and Commerce;

"order".

(f) "order" means a general or specific order, requirement, prescription or direction in writing made or issued under this Act or any regulation;

"price".

(g) "price" includes rate or charge for any service; and

"sale".

(h) "sale" includes consignment or other disposition of materials and the supplying of any service and "sold" shall have a corresponding meaning.

"sold".

DESIGNATION OF ESSENTIAL MATERIALS
AND SERVICES.

G. in C.
may
designate
essential
materials
and
services.

3. The Governor in Council may from time to time

(a) designate as essential materials such materials or substances as in his opinion are essential for defence purposes;

(b) designate as essential services the carrying on of such commercial activities, including the generation and distribution of electrical energy, as in his opinion are essential for the adequate production, storage or distribution of essential materials or otherwise for defence purposes.

CONTROL OF ESSENTIAL MATERIALS AND SERVICES.

G. in C.
powers to
regulate
and control.

4. (1) The Governor in Council may do and authorize such acts and things and make from time to time such orders and regulations as he deems necessary for the purposes of this Act to control and regulate the production, processing, distribution, acquisition, disposition or use of essential materials or the supply or use of essential services.

(2) Subject to the regulations, if any, the Minister may by order, as he deems necessary for the purposes of this Act,

Minister's powers in respect to production, processing, prices, information, etc.

- (a) require any person who produces, processes, deals in or has in his possession or control any essential materials to deal with, supply or dispose of any such materials in such manner and in such priority to that person's other transactions as the Minister may prescribe;
- (b) require any person who produces or processes any essential materials to produce or process any such materials in such manner and in such priority to that person's other production or processing operations as the Minister may prescribe;
- (c) prescribe the quantities of, the manner and circumstances in which and the conditions on which any essential materials may be produced, processed, used, acquired or disposed of, either generally or within periods of time prescribed by the Minister, and for these purposes may require persons to obtain permits;
- (d) require any person who supplies any essential service to supply the service to such persons, to such extent and on such conditions as the Minister may prescribe;
- (e) prescribe the restrictions and conditions according to which an essential service may be supplied or used, either generally or within periods of time prescribed by the Minister, and for these purposes may require persons to obtain permits;
- (f) fix the maximum prices, either by determining the selling price or the mark-up, at which and the terms and conditions on which any essential materials or essential services may be sold or offered for sale by any person; and require any seller to refund to any buyer any sum or consideration received in excess of a maximum selling price so fixed;
- (g) prescribe the circumstances in which and the terms and conditions on which, for any purposes of this Act, permits shall be obtained from the Minister or from a person designated by the Minister; grant general permits; and amend, suspend or cancel any permit;
- (h) require any person to furnish such information respecting essential materials produced, processed or dealt in by him or essential services supplied by him, or respecting his production and other facilities relating thereto, in such time and manner as the Minister may prescribe;
- (i) do such further things in regard to the production, supply, distribution and use of essential materials or essential services as may be authorized by order or regulation of the Governor in Council.

ADMINISTRATION.

Assistants
and
advisers
to the
Minister.

5. (1) The Governor in Council may, from time to time,
(a) appoint persons to assist the Minister in the exercise
of his powers or duties under this Act; and

(b) appoint advisers and establish advisory boards to be
composed of such persons as he may appoint to perform
such duties as he may designate;

Remunera-
tion and
expenses.

and may fix the remuneration and expenses to be paid to
persons appointed under this section.

Minister
empowered
to authorize
persons to
act under
his control.

(2) The Minister may authorize persons to act under his
control and direction on his behalf in the exercise of powers
conferred on him by this Act or by regulation.

Non-
disclosure
of informa-
tion.

6. No person shall disclose any information furnished to
the Minister under this Act without the consent of the
person from whom it was obtained except

(a) to an official of a government department requiring
such information for defence purposes;

(b) in any prosecution for an offence under this Act; or

(c) with the consent of the Minister, in any civil action
or proceeding.

GENERAL.

Defence
to action
for failure
to fulfil
obligation.

7. Where the failure of any person to fulfil any obligation
arising before or after the coming into force of this Act is
due to his compliance with any order or regulation, such
compliance shall be a good and complete defence to any
action or proceeding in respect of such failure.

Offence and
penalty.

8. Every person who contravenes or fails to observe any
provision of this Act or of any order or regulation is guilty
of an offence and is liable, upon summary conviction or
conviction upon indictment, to a fine not exceeding five
thousand dollars.

Publication
of orders
and
regulations.

9. Every order or regulation made by the Governor in
Council under sections three, four or ten shall be published
forthwith in the *Canada Gazette* and shall be laid before
Parliament within ten days after publication thereof, if
Parliament is then in session, or, if Parliament is not then
in session, within ten days after the commencement of the
next ensuing session thereof.

Date of
expiration.

10. This Act shall expire on the thirty-first day of July,
nineteen hundred and fifty-two: Provided that, if the
Governor in Council so orders, it shall expire on an earlier
day designated by him; and provided further that, if at

any time while this Act is in force, addresses are presented to the Governor General by the Senate and House of Commons, respectively, praying that this Act be continued in force for a further period, and the Governor in Council so orders, this Act shall continue in force for that further period.

Continuance
in force.

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Law Printer to the King's Most Excellent Majesty.

14-15 GEORGE VI.

CHAP. 7.

An Act to amend The Excise Act, 1934.

[Assented to 15th September, 1950.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada enacts as follows:

1. The first paragraph of section one of the Schedule to *The Excise Act, 1934*, chapter fifty-two of the statutes of 1934, is repealed and the following substituted therefor:

"1. SPIRITS

On every gallon of the strength of proof distilled in Canada, except as hereinafter otherwise provided, twelve dollars, and so in proportion for any greater or less strength than the strength of proof and for any less quantity than a gallon."

Spirits
distilled
in Canada.

2. The first paragraph of section two of the Schedule to the said Act is repealed and the following substituted therefor:

"2. CANADIAN BRANDY

On every gallon of the strength of proof, ten dollars, and so in proportion for any greater or less strength than the strength of proof and for any less quantity than a gallon."

Canadian
Brandy.

3. Section four of the Schedule to the said Act is repealed and the following substituted therefor:

"4. MALT

Upon all malt brought into a brewery subject to such allowance or rebate in respect of waste as may be authorized by the Governor in Council, per pound . . . twenty-one cents."

Malt.

4. This Act shall be deemed to have come into force on the eighth day of September, nineteen hundred and fifty.

Coming
into
force.

14-15 GEORGE VI.

CHAP. 8.

An Act to amend the Excise Tax Act.

[Assented to 15th September, 1950.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Paragraph (a) of subsection five of section eighty of the *Excise Tax Act*, chapter one hundred and seventy-nine of the Revised Statutes of Canada, 1927, is repealed and the following substituted therefor:—

“(a) in the case of all articles enumerated in section two of Schedule I, be deemed to apply to any such articles, which are, in Canada, wrapped, packaged, put up in boxes, bottles or jars, or otherwise prepared for sale;”

2. Subsection one of section eighty A of the said Act is repealed and the following substituted therefor:—

“**80A.** (1) There shall be imposed, levied and collected, an excise tax equal to fifteen per cent. of the current market value of all dressed furs, dyed furs and dressed and dyed furs,—

- (i) imported into Canada, payable by the importer or transferee of such goods before they are removed from the custody of the proper customs officer; or
- (ii) dressed, dyed, or dressed and dyed in Canada, payable by the dresser or dyer at the time of delivery by him.”

3. Section eighty B of the said Act is repealed and the following substituted therefor:—

“**80B.** There shall be imposed, levied and collected an excise tax equal to fifteen per cent. of the current market value of the fur contained in any garment, robe, or other article imported into Canada, payable by the importer or transferee of such goods before they are removed from the custody of the proper customs officer.”

R.S., c. 179;
1928, c. 50;
1929, c. 57;
1930, c. 43;
1931, c. 54;
1932, c. 54;
1932-33, c. 50;
1934, c. 42;
1935, c. 33;
1936, c. 45;
1937, c. 41;
1938, c. 52;
1939, c. 52;
1939 (2nd Sess.), c. 8;
1940, c. 41;
1940-41, cc. 1, 27;
1942-43, c. 32;
1943-44, c. 11;
1944-45, c. 48;
1945 (2nd Sess.), c. 30;
1946, c. 65;
1947, c. 60;
1947-48, cc. 8, 50;
1949 (2nd Sess.), c. 21;
1950 (1st), c. 15.

Application of words “manufactured or produced in Canada”.

Furs.

Fur content of garments, etc.

New
Schedule I.

4. Schedule I to the said Act is repealed and the First Schedule to this Act is substituted therefor.

New
Schedule II.

5. Schedule II to the said Act is repealed, and the Second Schedule to this Act is substituted therefor.

Coming
into force

Application.

6. This Act shall be deemed to have come into force on the eighth day of September, nineteen hundred and fifty and to have applied to all goods mentioned therein imported or taken out of warehouse for consumption on or after that day, and to have applied to goods previously imported for which no entry for consumption was made before that day.

FIRST SCHEDULE.

"SCHEDULE I.

1. Automobiles adapted or adaptable for passenger use, with seating capacity for not more than ten persons each.....fifteen per cent;

Provided that the tax on automobiles shall apply on the total price charged for such automobiles, which price shall include all charges for accessories, optional equipment, advertising, financing, servicing, warranty, or any other charges contracted for at the time of sale, whether charged for separately or not; Provided, further, that the tax shall not apply to automobiles imported under Customs Tariff items 702, 704, 705a, 706, 707 and 708.

2. Articles, materials or preparations of whatever composition or in whatever form, commonly or commercially known as toilet articles, preparations or cosmetics, which are intended for use or application for toilet purposes, or for use in connection with the care of the human body, including the hair, nails, eyes, teeth, or any other part or parts thereof, whether for cleansing, deodorizing, beautifying, preserving or restoring, and to include shaving soaps and shaving creams, antiseptics, bleaches, depilatories, perfumes, scents and similar preparations.....fifteen per cent.

3. (a) Electrical appliances adapted to household use, viz. blankets; chafing dishes; coffee makers; curling irons or tongs; dish washers; food or drink mixers; food choppers and grinders; floor waxers and polishers; garbage disposal units; hair dryers; irons and ironers; juice extractors; kettles; portable humidifiers; razors and shavers; toasters of all kinds; vacuum cleaners and attachments therefor; waffle irons.....fifteen per cent;

(b) Firearms and complete parts thereof and ammunition except for military or police purposes.....fifteen per cent;

(c) Motor cycles and all other two- or three-wheeled motor-driven vehicles including motors for attachment to bicycles but not including vehicles specially designed for carrying goods or for use by invalids.....fifteen per cent;

(d) Golf clubs and golf balls.....fifteen per cent;

(e) Fishing rods and fishing reels.....fifteen per cent.

4. Devices, commonly or commercially known as lighters, which produce sparks, flame or heat whether or not in combination with other articles on the separate or combined value, as the case may be.fifteen per cent.

5. Cameras and unexposed photographic films and plates, except those sold for industrial or professional photographers' use; projectors for pictures except those sold for commercial, religious, or educational purposes.fifteen per cent.

6. Phonographs, record playing devices, radio broadcast or telecast receiving sets and tubes therefor.fifteen per cent.

7. Coin, disc or token operated slot machines and vending machines; coin, disc or token operated games or amusement devices of all kinds.fifteen per cent; Provided that the tax hereby imposed shall not apply to coin collectors used on pay telephones, turnstiles for collecting tolls or charges, coin operated locking devices, nor gas, electric or parking meters.

8. Trunks; suitcases; bags and luggage of all kinds; purses; wallets; billfolds; key and card cases; handbags; jewel cases; dressing and toilet cases; shopping bags, except paper bags; golf and other sports bags; all the foregoing whether fitted or not.fifteen per cent; Provided that the tax hereby imposed shall not apply to the goods mentioned herein when manufactured expressly for a customer for his use in the operation of his business or profession.

9. Ash trays; tobacco pipes; cigar and cigarette holders; cigarette rolling devices and other smokers' accessories, not to include lighters, matches or tobacco.fifteen per cent.

10. Fountain pens; ball-point pens; ink pencils; propelling pencils; desk sets and all other desk accessories.fifteen per cent.

11. Cigars.twenty-five per cent; Provided that the sale price of cigars manufactured in Canada shall include the amount of excise duty payable thereon under the *Excise Act*.

12. Matches.fifteen per cent.

13. Tires and Tubes:—

(a) Tires in whole or in part of rubber for automotive vehicles of all kinds, including trailers or other wheeled attachments used in connection with any of the said vehicles.fifteen per cent;

(b) Inner tubes for use in any such tires.....fifteen per cent;
 Provided that the tax hereby imposed shall not apply to the goods mentioned herein when used exclusively for the original equipment of such automotive vehicles.

14. (a) Clocks and watches adapted to household or personal use, except railway men's watches, and those specially designed for the use of the blind, and alarm clocks where the sale price by the Canadian manufacturer or the duty paid value of those imported does not exceed ten dollars.....fifteen per cent;

(b) Articles of all kinds made in whole or in part of ivory, jet, amber, coral, mother of pearl, natural shells, tortoise shell, jade, onyx, lapis lazuli, or other semi-precious stones....fifteen per cent;

Provided that the tax on the articles enumerated in subsections (a) and (b) of this section shall not apply to the goods mentioned where the sale price by the Canadian manufacturer, or the duty paid value of the goods imported, does not exceed one dollar;

(c) Articles commonly or commercially known as jewellery, whether real or imitation, including diamonds and other precious or semi-precious stones for personal use or for adornment of the person; goldsmiths' and silversmiths' products except plated table knives, forks and spoons; pewter ware;

Articles of cut glassware, crystal glassware, cut or not, etched glassware, or metal decorated glassware;

Articles of china, porcelain, earthenware, marble, stoneware or other pottery ware, except articles for use in the preparation or serving of food or drink.....fifteen per cent;

Provided that the tax on the articles enumerated in subsection (c) of this section shall not apply to the goods mentioned where the sale price by the Canadian manufacturer, or the duty paid value of the goods imported, does not exceed fifty cents.

15. Carbonated beverages, aerated waters, unfermented fruit juice beverages (not including beverages at least ninety-five per cent. of which consists of pure juice of the fruit) and imitations thereof and all other compounded or mixed soft drinks where the beverages, waters or drinks are put up in bottles or other containers for sale.....thirty per cent.

16. Candy, chocolate, chewing gum and confectionery that may be classed as candy or a substitute for candy.....thirty per cent."

SECOND SCHEDULE.

"SCHEDULE II.

1. Carbonic acid gas and similar preparations to be used for aerating non-alcoholic beverages.....fifty cents per pound.

2. Cigarettes, manufactured tobacco and Canadian raw leaf tobacco:—

(a) For each five cigarettes or fraction of five cigarettes contained in any package.....two cents;

(b) For each ounce or fraction of an ounce of manufactured tobacco, including snuff but not including cigars and cigarettes, contained in any package.....two cents;

(c) For each ounce or fraction of an ounce of Canadian raw leaf tobacco when sold for consumption in Canada.....one-half cent."

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14-15 GEORGE VI.

CHAP. 9.

An Act to amend The Income Tax Act.

[Assented to 15th September, 1950.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1947-48, c. 52;
1949 (2nd.
Sess.) c. 25;
1950 (1st
Sess.) c. 40.

1. (1) Paragraphs (a) and (b) of subsection one of section thirty-six of *The Income Tax Act*, chapter fifty-two of the statutes of 1947-48, as enacted by subsection one of section eighteen of chapter twenty-five of the statutes of 1949 (second session), are repealed and the following substituted therefor:

“(a) 15% of the amount taxable if the amount taxable does not exceed \$10,000.00, and

(b) \$1,500.00 plus 38% of the amount by which the amount taxable exceeds \$10,000.00 if the amount taxable exceeds \$10,000.00.”

(2) Subsection two of the said section thirty-six is repealed and the following substituted therefor:

“(2) Where two or more corporations are related to each other in a taxation year, the tax payable by each of them under this Part for the year is, except where otherwise provided by another section, 38% of the amount taxable for the taxation year.”

Related
corporations.

2. Section one is applicable to taxation years ending on or after the first day of September, 1950, but, where a corporation has a taxation year part of which is before the first day of September and part of which is after the thirty-first day of August in that year, the tax payable by the corporation under Part I of *The Income Tax Act* for that taxation year is the aggregate of

Application
of Act.

(a) that proportion of the tax computed under section thirty-six of *The Income Tax Act* as enacted by subsection one of section eighteen of chapter twenty-five of the statutes of 1949 (second session) that the number

of days in that portion of the taxation year that is before the first day of September, 1950, is of the number of days in the whole taxation year, and

(b) that proportion of the tax computed under section thirty-six of *The Income Tax Act* as amended by section one that the number of days in that portion of the taxation year that is after the thirty-first day of August, 1950, is of the number of days in the whole taxation year.

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Law Printer to the King's Most Excellent Majesty.

14-15 GEORGE VI.

CHAP. 10.

An Act respecting payment of Sessional Allowances and transportation expenses to Members of the Senate and the House of Commons.

[Assented to 15th September, 1950.]

WHEREAS the present Special Session of Parliament was called to consider certain urgent matters, and in order that consideration may be given, with the least possible delay, to any other urgent matters that may arise, it is expedient that the present Session should not now be prorogued, but that special provision should be made respecting sessional allowances and transportation expenses to be paid to Members of the Senate and House of Commons: Therefore, His Majesty, by and with the advice and consent of the Senate and the House of Commons of Canada, enacts as follows:

Preamble.

1. For the purposes of the provisions of the *Senate and House of Commons Act* relating to the payment of sessional allowances to Members of the Senate and House of Commons, whenever during the session of Parliament that commenced on the twenty-ninth day of August, nineteen hundred and fifty, either House is adjourned for more than one week, the number of days of such adjournment shall not be reckoned as days of attendance for members of that House, and if after any such adjournment the sittings of that House are resumed, the provisions of the said Act relating to payment to each member of moving, transportation and living expenses while on the journey between his place of residence and Ottawa shall apply in respect of the members of that House as though the resumed sittings were a new session.

If either House adjourned for more than one week.

R.S., c. 147.

Travelling expenses.

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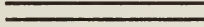
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OTTAWA
EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
CONTROLLER OF STATIONERY
1951

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14-15 GEORGE VI.

CHAPTER 32

An Act to amend the British North America Act, 1867.
[31st May, 1951.]

WHEREAS the Senate and House of Commons of Canada in Parliament assembled have submitted an address to His Majesty praying that His Majesty may graciously be pleased to cause a measure to be laid before the Parliament of the United Kingdom for the enactment of the provisions hereinafter set forth:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. The British North America Act, 1867, is amended by adding thereto immediately after section ninety-four thereof the following heading and section:—

Amendment
as to legisla-
tion respecting
old age
pensions.
30 & 31 Vict.
c. 3.

"OLD AGE PENSIONS

94A. It is hereby declared that the Parliament of Canada may from time to time make laws in relation to old age pensions in Canada, but no law made by the Parliament of Canada in relation to old age pensions shall affect the operation of any law present or future of a Provincial Legislature in relation to old age pensions."

2. This Act may be cited as the British North America Act, 1951, and the British North America Acts, 1867 to 1949, and this Act may be cited together as the British North America Acts, 1867 to 1951.

Short title
and citation.

PROCLAMATIONS OF CANADA, AUGUST, 1950, TO AUGUST, 1951.

	DATE IN FORCE	CANADA GAZETTE
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Companies' Creditors Arrangement Act, 1933—Chap. 36, Statutes 1932-33—proclaimed in force in Prov. of Newfoundland.....	1 July, 1951	Vol. 85, p. 1611, Extra, May 31, 1951.
Defence Services Pension Act—Chap. 32, Statutes, 1950—Sections 1, 2, 4, 5, 7, 9, 10, 11, 12, 13, 14, 15 and 16—proclaimed in force.....	1 Sept., 1950	Vol. 84, p. 3212.
Department of Defence Production, An Act respecting the—Chap. 4, Statutes, 1951—proclaimed in force.....	1 Apr., 1951	Vol. 85, p. 1026, Extra, Mar. 31, 1951.
Electricity Inspection Act, 1923—Chap. 22, Statutes, 1928—proclaimed in force in Prov. of Newfoundland.....	1 Feb., 1951	Vol. 85, p. 451.
Emergency Exchange Conservation Act—Chap. 7, Statutes, 1947-48—to expire.....	15 Jan., 1951	Vol. 85, pl 291.
Fisheries Act, 1932—Chap. 42, Statutes, 1932—Section fifty-six proclaimed in force in Prov. of Newfoundland.....	1 Aug., 1951	Vol. 95, p. 2110, Extra, July 26, 1951.
Indian Act—Chap. 29, Statutes, 1951—proclaimed in force..	4 Sept., 1951	Vol. 85, p. 2183.
Juvenile Delinquents Act, 1929—Chap. 46, Statutes, 1929—in force in—		
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Fort Simpson, Northwest Territories.....	15 Nov., 1950	Vol. 84, p. 4277.
County of Prince, Prov. of P.E.I.....	3 Feb., 1951	Vol. 85, p. 360.
County of Queen's, Prov. of P.E.I.....	3 Feb., 1951	Vol. 85, p. 361.
Migratory Birds Convention Act—amendment—Chap. 20, Statutes, 1951—proclaimed in force.....	1 Aug., 1951	Vol. 85, p. 2110, Extra, July 31, 1951.
Militia Act—Chap. 132, R.S.C., 1927—Sections one hundred and forty, and one hundred and forty-one—repealed under section 250 of "An Act respecting National Defence", Chap. 43, Statutes, 1950.....	7 Feb., 1951	Vol. 85, p. 606.
Militia Pension Act, An Act to amend and change the Title thereof—(See—Defence Services Pension Act).....	—	—
National Defence Act—Chap. 43, Statutes 1950—Sections 38, 42, 46, 50, 51, 52, 57, 61, 62, 126, 150, 154, 155, 156, 159, 161, 163, 166, 167, 182, 183, 199, 200, 215, 216, 231, 232, 233, 234, 235, 236, 237, 239, 240, 241, 242, 243 and 245—proclaimed in force.....	1 Feb., 1951	Vol. 85, p. 362, Extra, Jan. 29, 1951.
National Film Act, 1950—Chap. 44, Statutes, 1950—proclaimed in force.....	14 Oct., 1950	Vol. 84, p. 3718, Extra, Oct. 12, 1950.
National Housing Act, 1944—Chap. 46, Statutes, 1944-45—Part IV—proclaimed in force in Yellowknife Local Administrative District, Northwest Territories.....	4 July, 1951	Vol. 85, p. 2028.
Naval Service Act, 1944—Chap. 23, Statutes, 1944-45—Subsection two of section twenty-five and sections thirty-nine and forty—repealed under section 250 of "An Act respecting National Defence", Chap. 43, Statutes, 1950.	7 Feb., 1951	Vol. 85, p. 606.
Newfoundland—Statutes repealed—		
Sections 1 to 26, inclusive, section 28, and sections 30 to 37, inclusive, of the Weights and Measures Act, Chapter 188 of The Consolidated Statutes (Third Series); The Weights and Measures Act, 1919—The Act 9-10 Geo. V., Cap. 17;		
Sections 1 to 4, inclusive, of An Act Further to Amend Chapter 188 of The Consolidated Statutes (Third Series) entitled "Of Weights and Measures and The Inspection of Lumber"—The Act No. 21 of 1936;		
Section 27 and subsections (1) and (2) of section 44 of The Weights and Measures Act, Chapter 188 of The Consolidated Statutes (Third Series) as enacted by sections 1 and 2 of An Act Further to Amend Chapter 188 of The Consolidated Statutes (Third Series) entitled "Of Weights and Measures and The Inspection of Lumber"—The Act No. 43 of 1942.....	1 Feb., 1951	Vol. 85, p. 451.
Northwest Territories Act—amendment—Chap. 21, Statutes, 1951—Section three proclaimed in force.....	15 June, 1951	Vol. 85, p. 1799.
Quarantine Act—Chap. 168, R.S.C., 1927—Amendments to Quarantine Regulations made by Order P.C. 3931—proclaimed in force.....	2 Aug., 1950	Vol. 84, p. 3124.

PROCLAMATIONS OF CANADA, AUGUST, 1950, TO AUGUST, 1951.

	DATE IN FORCE	CANADA GAZETTE
Acts proclaimed—<i>Con.</i>		
Regulations Act—Chap. 50, Statutes, 1950—in force.....	1 Jan., 1951	Vol. 84, p. 4472.
Royal Canadian Air Force Act—Chap. 15, Statutes, 1940— Subsection two of section sixteen—repealed under section 250 of "An Act respecting National Defence", Chap. 43, Statutes, 1950.....	7 Feb., 1951	Vol. 85, p. 606.
Royal Military College Act—Chap. 7, Statutes, 1928—Sub- section two of section three—repealed under section 250 of "An Act respecting National Defence", Chap. 43, Statutes, 1950.....	7 Feb., 1951	Vol. 85, p. 606
Weights and Measures Act—Chap. 212, R.S.C., 1927—in force in Prov. of Newfoundland.....	1 Feb., 1951	Vol. 85, p. 451.
Miscellaneous Proclamations—		
Administrator of Government of Canada, appointment of the Honourable Patrick Kerwin, Senior Judge of the Supreme Court of Canada.....	11 June, 1951	Vol. 85, p. 1672, Extra, June 11, 1951.
Animal Contagious Diseases Act, restricted areas in—		
Alberta—		
Municipal District of Ponoka No. 66.....	2 Aug., 1950	Vol. 84, p. 3125.
Municipal District of Waterloo No. 56.....	19 Sept., 1950	Vol. 84, p. 3564.
Municipal District of Stony Plain No. 84.....	29 Sept., 1950	Vol. 84, p. 3772.
Municipal District of Eable No. 81.....	11 Oct., 1950	Vol. 84, p. 3773.
Local Improvement District No. 41.....	17 Oct., 1950	Vol. 84, p. 3849.
Municipal District of Westlock No. 92.....	13 Dec., 1950	Vol. 85, p. 33.
Municipal District of Raven No. 57.....	12 Jan., 1951	Vol. 85, p. 360.
Municipal District of Lac Ste. Anne No. 93, Im- provement District No. 76, Improvement Dis- trict No. 146 and Improvement District No. 147.....	8 Mar., 1951	Vol. 85, p. 907.
Municipal District of Morinville No. 91.....	11 April 1951	Vol. 85, p. 1140.
British Columbia—		
Prov. of British Columbia except Peace River Dis- trict.....	30 June, 1950	Vol. 84, p. 3127.
Manitoba—		
Rural Municipalities of Gimli and Sainte Anne	19 July, 1950	Vol. 84, p. 3124.
Rural Municipality of St. Clements, Town of The Pas and adjoining farming area which includes Townships 53, 54, 55 and 56, Ranges 25, 26, 27, 28 and 29, West of the 1st Principal Meridian, Rural Municipality of Gilbert Plains and Rural Municipality of Ste. Rose, together with all incorporated towns and villages within its boundaries.....	7 Sept., 1950	Vol. 84, p. 3468.
Rural Municipality of Lakeview.....	19 Sept., 1950	Vol. 84, p. 3565.
Rural Municipality of Glenella.....	22 Nov. 1950	Vol. 84, p. 4352.
Rural Municipality of Shell River.....	13 Feb., 1951	Vol. 85, p. 676.
Portion of Rural Municipality of Springfield.....	21 Feb., 1951	Vol. 85, p. 754.
Rural Municipality of Dauphin.....	15 Mar., 1951	Vol. 85, p. 1026.
Newfoundland—		
Electoral District of Humber.....	24 Jan., 1951	Vol. 85, p. 452.
Avalon Peninsula.....	10 May, 1951	Vol. 85, p. 1487.
Ontario—		
District of Parry Sound.....	19 Sept., 1950	Vol. 84, p. 3564.
Saskatchewan—		
Rural Municipality of Kellross, No. 247 and Rural Municipality of Insinger, No. 275.....	12 Sept., 1950	Vol. 84, p. 3468.
Rural Municipality of Saskatchewan Landing No. 167.....	11 Oct., 1950	Vol. 84, p. 3773.
Enlarged Rural Municipality of Shellbrook No. 493.	1 Nov., 1950	Vol. 84, p. 4111.
Rural Municipality of Lake Alma No. 8, Lacedena No. 228, Money No. 257, Hillsburg No. 289, Kindersley No. 290, Winslow No. 319, Mariposa No. 350, Eye Hill No. 382, Fairview No. 258, Grandview No. 349, Johnston No. 102, Louis No. 431, Sasman No. 336, Lakeview No. 337, Surprise Valley No. 9, Harte Butte No. 11, Birch Hills No. 460, Elfros No. 307, Redberry No. 435, Blaine Lake No. 434, Three Lakes No. 400, Tisdale No. 427, Bayne No. 371, Barrier Valley No. 397 and Battle River No. 438.....	29 Sept., 1950	Vol. 84, p. 3277.
Rural Municipality of Leask No. 464.....	13 Dec., 1950	Vol. 85, p. 34.
Rural Municipality of Douglas No. 436.....	24 Jan., 1951	Vol. 85, p. 452.

PROCLAMATIONS OF CANADA, AUGUST, 1950, TO AUGUST, 1951.

	DATE IN FORCE	CANADA GAZETTE
Miscellaneous Proclamations— <i>Con.</i>		
Animal Contagious Diseases Act, restricted areas in— <i>Con.</i>		
Saskatchewan— <i>Con.</i>		
Rural Municipality of Buchanan No. 304.	21 Feb., 1951	Vol. 85, p. 754.
Birthday of His Majesty, the King, to be celebrated on June 4, 1951.....	8 Mar., 1951	Vol. 85, p. 907, Extra, Mar. 18, 1951.
Census to be taken of population and agriculture to com- mence on June 1, 1951.....	4 Oct., 1950	Vol. 84, p. 3646.
Declaring Harbour of Souris, P.E.I., to be public harbour..	13 Feb., 1951	Vol. 85, p. 677.
Describing certain lands in Kingston to be a penitentiary for the Prov. of Ontario.....	30 Aug., 1950	Vol. 84, p. 3289.
Fire Prevention Week, Oct. 8-14, 1950.....	23 Aug., 1950	Vol. 84, p. 3126.
Parliament—		
Summoned, Jan. 29, 1951.....	29 Jan., 1951	Vol. 85, p. 359, Extra, Jan. 29, 1951.
Prorogued, Jan. 29, 1951.....	29 Jan., 1951	Vol. 85, p. 373.
Opened, Jan. 30, 1951.....	30 Jan., 1951	Vol. 85, p. 373.
Adjourned, June 30, 1951.....	30 June, 1951	—
Prorogued, Oct. 9, 1951.....	9 Oct., 1951	—
Termination of State of war between Canada and Germany.	10 July, 1951	Vol. 85, p. 1903, Extra, July 10, 1951.
Thanksgiving Day, Oct. 8, 1951.....	31 July, 1951	Vol. 85, p. 2182, Extra, Aug. 7, 1951.

ACTS
OF THE
PARLIAMENT
OF THE
DOMINION OF CANADA

PASSED IN THE SESSION HELD IN THE
FIFTEENTH YEAR OF THE REIGN OF HIS MAJESTY
KING GEORGE VI
BEING THE
FOURTH SESSION OF THE TWENTY-FIRST PARLIAMENT

Begun and holden at Ottawa, on the Thirtieth day of January, 1951, and
closed by Prorogation on the Ninth day of October, 1951.



FIELD MARSHAL THE RIGHT HONOURABLE
VISCOUNT ALEXANDER OF TUNIS
GOVERNOR GENERAL

PART I
PUBLIC GENERAL ACTS

OTTAWA
PRINTED BY EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
LAW PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
ANNO DOMINI 1951

15 GEORGE VI.

CHAP. 1.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1952.

[Assented to 21st March 1951.]

MOST GRACIOUS SOVEREIGN,

WHEREAS it appears by messages from His Excellency, Preamble.
the Right Honourable Viscount Alexander of Tunis, etc., etc., Governor General of Canada, and the estimates accompanying the said messages, that the sums hereinafter mentioned are required to defray certain expenses of the public service of Canada, not otherwise provided for, for the financial year ending the thirty-first day of March, one thousand nine hundred and fifty-two, and for other purposes connected with the public service: May it therefore please Your Majesty, that it may be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:

1. This Act may be cited as *The Appropriation Act*, Short title.
No. 1, 1951.

2. From and out of the Consolidated Revenue Fund, \$413,758,902.33
granted for
1951-52.
there may be paid and applied a sum not exceeding in the whole four hundred and thirteen million, seven hundred and fifty-eight thousand, nine hundred and two dollars and thirty-three cents, towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and fifty-one, to the thirty-first day of March, one thousand nine hundred and fifty-two, not otherwise provided for, and being one-sixth of the amount of each of the items to be voted set forth in the Main Estimates for the fiscal year ending the thirty-first day of March, one thousand nine hundred and fifty-two, as laid before the House of Commons at the present session of Parliament.

\$1,644,656.25
granted for
1951-52.

3. From and out of the Consolidated Revenue Fund, there may be paid and applied, in addition to the amount granted therefor by section two of this Act, a sum not exceeding in the whole one million, six hundred and forty-four thousand, six hundred and fifty-six dollars and twenty-five cents, towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and fifty-one, to the thirty-first day of March, one thousand nine hundred and fifty-two, not otherwise provided for, and being three-quarters of the amount of the several items to be voted set forth in Schedule A to this Act.

\$4,040,634.67
granted for
1951-52.

4. From and out of the Consolidated Revenue Fund, there may be paid and applied, in addition to the amount granted therefor by section two of this Act, a sum not exceeding in the whole four million, forty thousand, six hundred and thirty-four dollars and sixty-seven cents, towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and fifty-one, to the thirty-first day of March, one thousand nine hundred and fifty-two, not otherwise provided for, and being one-third of the amount of each of the several items to be voted set forth in Schedule B to this Act.

\$536,759.17
granted for
1951-52.

5. From and out of the Consolidated Revenue Fund, there may be paid and applied, in addition to the amount granted therefor by section two of this Act, a sum not exceeding in the whole five hundred and thirty-six thousand, seven hundred and fifty-nine dollars and seventeen cents, towards defraying the several charges and expenses of the public service from the first day of April, one thousand nine hundred and fifty-one, to the thirty-first day of March, one thousand nine hundred and fifty-two, not otherwise provided for, and being one-sixth of the amount of the several items to be voted set forth in Schedule C to this Act.

\$1,322,403.33
granted for
1951-52.

6. From and out of the Consolidated Revenue Fund, there may be paid and applied, in addition to the amount granted therefor by section two of this Act, a sum not exceeding in the whole one million, three hundred and twenty-two thousand, four hundred and three dollars and thirty-three cents, towards defraying the several charges and expenses of the public service from the first day of April, one thousand nine hundred and fifty-one, to the thirty-first day of March, one thousand nine hundred and fifty-two, not otherwise provided for, and being one-twelfth of the amount of the several items to be voted set forth in Schedule D to this Act.

7. (1) The Governor in Council may, in addition to the sums now remaining unborrowed, and negotiable of the loans authorized by Parliament, by any Act heretofore passed, raise by way of loans, under the provisions of *The Consolidated Revenue and Audit Act, 1931*, by the issue and sale or pledge of securities of Canada, in such form, for such separate sums, at such rate of interest and upon such other terms and conditions as the Governor in Council may approve, such sum or sums of money, as may be required for paying or redeeming loans or obligations of Canada maturing or callable in the fiscal year ending March 31, 1952.

Power to raise sums required for redeeming loans or obligations. 1931, c. 27.

(2) The principal raised by way of loan under this Act and the interest thereon shall be a charge upon, and payable out of the Consolidated Revenue Fund.

Chargeable to C.R. Fund.

8. A detailed account of the sums expended under the authority of this Act shall be laid before the House of Commons of Canada during the first fifteen days of the next session of Parliament.

Account to be rendered in detail.

SCHEDULE A

Based on the Main Estimates, 1951-52. The amount hereby granted is \$1,644,656.25, being three-quarters of the amount of the several items in the said Estimates as contained in this Schedule.

Sums granted to His Majesty by this Act for the financial year ending 31st March, 1952, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		\$	\$
	CITIZENSHIP AND IMMIGRATION		
	IMMIGRATION BRANCH		
62	To provide for payments to Trans-Canada Airlines of the difference in cost between air transportation and minimum tourist class ocean transportation for immigrants transported from the United Kingdom by Trans-Canada Airlines during the months of April and May, 1951.....	231,125	
	FINANCE		
	ADMINISTRATION OF VARIOUS ACTS AND COSTS OF SPECIAL FUNCTIONS		
121	The Wartime Prices and Trade Board—Administration.....	186,750	
	LABOUR		
	B—UNEMPLOYMENT INSURANCE ACT, 1940		
204	To provide for the payment of unemployment assistance to certain residents of Newfoundland to give effect to the Terms of Union of Newfoundland with Canada, in accordance with regulations of the Governor in Council and such assistance shall be deemed to be a benefit or payment within the meaning of Sections 33 and 67 of the Unemployment Insurance Act, 1940.....	500,000	
	TRADE AND COMMERCE		
	SPECIAL		
470	To provide for payments by the Government of Canada under agreement dated July 10, 1950, between the Government of Canada and the Government of Manitoba, establishing the Greater Winnipeg Dyking Board.....	1,275,000	
			*2,192,875

* Net total \$1,644,656.25

SCHEDULE B

Based on the Main Estimates, 1951-52. The amount hereby granted is \$4,040,634.67, being one-third of the amount of the several items in the said Estimates as contained in this Schedule.

Sums granted to His Majesty by this Act for the financial year ending 31st March, 1952, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
	AGRICULTURE	\$	\$
39	Freight Assistance on Western Feed Grains.....	4,500,000	
	TRADE AND COMMERCE		
	EXHIBITIONS		
456	Canadian International Trade Fair, 1951.....	606,053	
	DOMINION BUREAU OF STATISTICS		
463	Census of Population and Agriculture and the 1951 Census of Distribution.....	7,015,851	
			*12, 121, 904

* Net total \$4,040,634.67

SCHEDULE C

Based on the Main Estimates, 1951-52. The amount hereby granted is \$536,759.17, being one-sixth of the amount of the several items in the said Estimates as contained in this Schedule.

Sums granted to His Majesty by this Act for the financial year ending 31st March, 1952, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
	EXTERNAL AFFAIRS	\$	\$
	DEPARTMENT AND MISSIONS ABROAD		
88	Representation Abroad—To authorize the construction, acquisition, improvements and furnishing of properties for Canadian Government offices and residences abroad, payment therefor to be made in foreign currencies that are not convertible into Canadian or United States dollars and that may be used only for governmental or other limited purposes and that have been acquired in respect of reparations or pursuant to the settlement of claims arising out of military operations or war expenditures, or in exchange for other such currencies so acquired.....	1,042,500	
	LOANS, INVESTMENTS AND ADVANCES		
566	To authorize and provide for working capital advances in the current and subsequent fiscal years to maintain cash and bank balances at Department of External Affairs posts abroad, subject to regulations of the Treasury Board, the amount of advances hereby authorized outstanding at any time not to exceed.....	300,000	
	LEGISLATION		
	THE SENATE		
206	General Administration.....	362,185	
	THE HOUSE OF COMMONS		
209	General Administration—Estimates of the Clerk.....	967,046	
210	Estimates of the Sergeant-at-Arms.....	548,824	
			*3,220,555

* Net total \$536,759.17

SCHEDULE D

Based on the Main Estimates, 1951-52. The amount hereby granted is \$1,322,403.33, being one-twelfth of the amount of the several items in the said Estimates as contained in this Schedule.

Sums granted to His Majesty by this Act for the financial year ending 31st March, 1952, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		\$	\$
	EXTERNAL AFFAIRS		
86	Representation Abroad—Operational—including payment of salaries of High Commissioners, Ambassadors, Ministers Plenipotentiary, Consuls, Secretaries and staff appointed as directed by the Governor General in Council, notwithstanding anything to the contrary in the Civil Service Act or any of its amendments.....	4,492,816	
	RESOURCES AND DEVELOPMENT		
	NATIONAL PARKS BRANCH		
386	National Parks and Historic Sites Services— Construction or Acquisition of Buildings and Works, Land and New Equipment.....	4,186,704	
	ENGINEERING AND WATER RESOURCES BRANCH		
	Water Resources Division—		
395	To provide for studies and surveys of the Red River Basin in Canada.....	182,000	
	Engineering and Architectural Division—		
398	Administration, Operation and Maintenance.....	368,020	
	Projects Division—		
401	To provide for a contribution to the cost of constructing a dam on the Upper Thames River near Fanshawe, Ontario, for the purposes of flood control and conservation, in accordance with the terms of an agreement to be entered into between Canada, the Province of Ontario and the Upper Thames River Conservation Authority.....	580,000	
	NORTHERN ADMINISTRATION AND LANDS BRANCH		
	Northern Administration Division—		
	Northwest Territories, including Wood Buffalo Park and Eskimo Affairs—		
411	Construction or Acquisition of Buildings, Works, Land and New Equipment.....	237,215	
	Forest Conservation and Wildlife Management, including Wood Buffalo Park—		
412	Operation and Maintenance.....	276,633	
	Yukon Territory, including Forest Conservation—		
415	Construction or Acquisition of Buildings, Works, Land and New Equipment.....	190,450	
	FORESTRY BRANCH		
	Forest Research Division—		
417	Operation and Maintenance.....	842,803	
	Forest Products Division—		
420	Operation and Maintenance.....	500,034	

SCHEDULE D—Concluded

No. of Vote	Service	Amount	Total
		\$	\$
	TRADE AND COMMERCE		
	GENERAL ADMINISTRATION		
451	Trade Commissioner Service, including payment of compensation to Trade Commissioners for damage to and loss of furniture and effects, under regulations approved by the Governor in Council.....	1,963,751	
	STANDARDS DIVISION		
458	Electricity and Gas Inspection Services, including administration of the Electricity and Fluid Exportation Act—Operation and Maintenance.....	565,429	
460	Weights and Measures Inspection Services—Operation and Maintenance.....	637,985	
	TRANSPORT		
	RAILWAY AND STEAMSHIP SERVICES		
495	Canadian National (West Indies) Steamships Limited—To provide for the payment from time to time to the Canadian National (West Indies) Steamships, Limited (hereinafter called "the Company") of the amount of the deficit occurring during the year ending December 31, 1951 in the operations of the Company and the vessels under the control of the Company, as certified by the Auditors of the Company, and upon applications made by the Company to the Minister of Finance, and approved by the Minister of Transport, not exceeding.....	845,000	
			*15,868,840

* Net total \$1,322,403.33.

OTTAWA: Printed by EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
 LAW Printer to the King's Most Excellent Majesty.

15 GEORGE VI.

CHAP. 2.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1951.

[Assented to 21st March 1951.]

MOST GRACIOUS SOVEREIGN,

WHEREAS it appears by messages from His Excellency, Preamble.
the Right Honourable Viscount Alexander of Tunis, etc., etc., Governor General of Canada, and the estimates accompanying the said messages, that the sums hereinafter mentioned are required to defray certain expenses of the public service of Canada, not otherwise provided for, for the financial year ending the thirty-first day of March, one thousand nine hundred and fifty-one, and for other purposes connected with the public service: May it therefore please Your Majesty, that it may be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:

1. This Act may be cited as *The Appropriation Act*, Short title. No. 2, 1951.

2. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole two hundred and one million, five hundred and fifty-six thousand, five hundred and fifty-nine dollars towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and fifty, to the thirty-first day of March, one thousand nine hundred and fifty-one, not otherwise provided for, and being the amount of each of the items voted, set forth in the Schedule to this Act for the fiscal year ending the thirty-first day of March, one thousand nine hundred and fifty-one, as laid before the House of Commons at the present session of Parliament.

\$201,556,550
granted for
1950-51.

Account
to be
rendered
in detail.

3. A detailed account of the sums expended under the authority of this Act shall be laid before the House of Commons of Canada during the first fifteen days of the next session of Parliament.

SCHEDULE

Based on the Further Supplementary Estimates(2), 1950-51. The amount hereby granted is \$201,556,559, being the amount of the items in the said Estimates as contained in this Schedule.

SUMS granted to His Majesty by this Act for the financial year ending 31st March, 1951, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		\$	\$
	AGRICULTURE		
	SCIENCE SERVICE		
572	Animal and Poultry Pathology—Further amount required....	15,000	
	PRODUCTION SERVICE		
	Health of Animals—		
573	Compensation for animals Slaughtered, including compensation for eggs destroyed from infected premises in accordance with regulations of the Governor in Council—Further amount required.....	450,000	
574	Grants to Agricultural Organizations, as detailed in the Estimates—Further amount required.....	15,000	
	MARKETING SERVICE		
575	Subsidies for Cold Storage Warehouses under the Cold Storage Act, and Grants, in the amounts detailed in the Estimates—Further amount required.....	313,300	
	SPECIAL		
576	To authorize and provide for a payment to the Canadian Wheat Board which shall be dealt with by the Board in all respects as though it was money received from the sale of wheat produced in the designated area, sold and delivered to the Board by producers during the pool period commencing on the first day of August, 1945, and ending on the thirty-first day of July, 1950, and to authorize the Board, notwithstanding the provisions of sub-sections 2 and 3 of Section 22 of the Canadian Wheat Board Act, to distribute such amount together with all other moneys received by the Board from the sale of such wheat, after making the deductions provided for in the said Section 22, among holders of certificates issued by the Board pursuant to Part III of the said Act during the pool period aforesaid, by paying to the person named in such certificate the same sum for each bushel of wheat referred to therein.....	65,000,000	
			65,793,309

SCHEDULE—*Continued*

No. of Vote	Service	Amount	Total
		\$	\$
	CITIZENSHIP AND IMMIGRATION		
	IMMIGRATION BRANCH		
577	To provide for payments to Trans-Canada Airlines of the difference in cost between air transportation and minimum tourist class ocean transportation for immigrants transported from the United Kingdom by Trans-Canada Airlines during the period November 29, 1950, to March 31, 1951.....	380,000	
	INDIAN AFFAIRS BRANCH		
	Reserves and Trusts—		
578	Administration—Further amount required.....	22,082	
	Education—		
579	Grants to Residential Schools—Further amount required..	60,668	
			462,750
	EXTERNAL AFFAIRS		
	B—GENERAL		
580	The Canadian Government's Assessment for Membership in the Food and Agriculture Organization of the United Nations—Further amount required.....	109,000	
	TERMINABLE SERVICES		
581	Contribution to the United Nations Relief and Works Agency for Palestine Refugees in the Near East—Further amount required.....	750,000	
582	Contribution for the United Nations Relief and Rehabilitation Programme for Korea.....	7,250,000	
			8,109,000
	FINANCE		
	CONTINGENCIES AND MISCELLANEOUS		
583	Cost of Telephone Service at Ottawa for all Departments—Further amount required.....	100,000	
584	To authorize the write-off from Non-Active Assets to the Consolidated Deficit account of the net trading loss in the Securities Investment Account incurred between April, 1940, and November, 1949 (\$8,299,183.77).....	1	
	GENERAL ITEMS OF PAYROLL COSTS INCLUDING SUPERANNUATION PAYMENTS		
585	To provide, subject to the approval of the Treasury Board, for supplementing other votes for the payment of salaries, wages and other payroll charges—Further amount required.....	2,000,000	
586	To provide for the Government's contribution as an Employer to the Unemployment Insurance Fund in respect of Government Employees paid through the Central Pay Office—Further amount required.....	80,000	
587	To provide for the transfer to the Civil Service Superannuation Account of a special Government contribution of a portion of the amount by which the estimated liabilities exceed the balance in the Account.....	75,000,000	

SCHEDULE—Continued

No. of Vote	Service	Amount	Total
		\$	\$
	FINANCE—Concluded		
	SPECIAL		
588	Notwithstanding Section 32 of the Consolidated Revenue and Audit Act, to authorize payment under Votes 678 and 679 of the Appropriation Act No. 4, 1950, of the Federal Government's share of the claims received after March 31, 1951, in respect of costs incurred as a result of the large fires in Rimouski and Cabano in May, 1950, where such claims are certified for payment by the Commission named for that purpose by the Government of the Province of Quebec....	1	77,180,002
	FISHERIES		
589	To provide for acquisition of lands required by the International Pacific Salmon Fisheries Commission, as required by Article VIII of Treaty dated May 26, 1930, between Canada and the United States for the protection, preservation and extension of the Sockeye Salmon Fisheries of the Fraser River System.....	1,277	
590	To provide for transportation, dressing and dyeing and other expenses incidental to receiving and disposing of fur seal skins accruing to Canada pursuant to Provisional Fur Seal Agreement between Canada and the United States by exchange of notes dated December 26, 1947—Further amount required.....	50,000	51,277
	INSURANCE		
591	Departmental Administration—Further amount required.....	10,000	
592	Expenses of work in the interest of Fire Prevention—Further amount required.....	3,000	13,000
	LABOUR		
	A—DEPARTMENT		
	GENERAL ADMINISTRATION		
593	Labour Gazette and other publications authorized by Labour Department Act—Further amount required.....	48,000	
594	Notwithstanding the Government Annuities Act, to authorize the Minister of Labour, in consequence of the transfer of employees from the original employers to the new employers specified in the Details of the Estimates to enter into contracts with the original employers and the new employers, to provide that the new employers shall, effective on the dates respectively specified in the Details become parties to Group Annuity Contracts specified in the said Details respectively in the place of the original employers with respect to employees to whom those contracts applied and who were transferred to the new employers and for the application of the contracts in respect of service with the original employers and the new employers and for such other terms as the Minister deems necessary for the maintenance and continuity of pension rights of the employees under those contracts, and to provide for payments in the current and subsequent fiscal years in accordance with the contracts so entered into out of the Government Annuities Account.....	1	

SCHEDULE—Continued

No. of Vote	Service	Amount	Total
		\$	\$
	LABOUR—Concluded		
	SPECIAL		
595	To authorize and provide for Federal contributions to reimburse the Province of Quebec for one half the expenditure for the reconstruction of buildings of Technical and Marine Schools, Rimouski, Quebec, and one half the cost of re-equipping the Technical School and to authorize the Minister of Labour to enter into an agreement with the Province of Quebec for such expenditures.....	330,000	
	B—UNEMPLOYMENT INSURANCE ACT, 1940		
596	Government's contribution to the Unemployment Insurance Fund—Further amount required.....	3,350,000	
597	To reimburse the Unemployment Insurance Fund under Section 87F(1) of the Unemployment Insurance Act, 1940, as amended by Statute of 1950.....	1,780,000	5,508,001
	LEGISLATION		
	THE SENATE		
598	General Administration—Further amount required.....	4,000	
	HOUSE OF COMMONS		
599	To provide for the full sessional indemnity to Members of the House of Commons—days lost through absence caused by illness, official public business, or Order of the House, or on account of death during the first session of 1950—notwithstanding anything to the contrary in Chapter 147 of the Revised Statutes, 1927, an Act respecting the Senate and House of Commons, or any amendment thereto. Payments to be made as the Treasury Board may direct—Further amount required.....	3,300	
600	To provide, notwithstanding anything contained in the Senate and House of Commons Act, for the payment to each Member of the House of Commons who attended the first part of the first Session of 1950, which commenced on February 16, 1950, and ended on April 5, 1950, of an amount representing the actual transportation and living expenses of such Member while on the journey between Ottawa and his place of residence after the Easter adjournment of Parliament on April 5, 1950, and on the return journey from his place of residence to Ottawa at the end of the recess which commenced on that date, or at any other one time during the session—Further amount required.....	1,200	8,500
	NATIONAL DEFENCE		
	DEFENCE FORCES		
601	To provide for the Defence Forces of the Navy, Army and Air Services and to authorize total additional commitments, including authority notwithstanding Section 29 of the Consolidated Revenue and Audit Act, for the current year for this purpose of \$47,810,000 against which commitments it is estimated that the total additional expenditure in 1950-51 will not exceed a further amount of.....	19,410,000	
602	Defence Research and Development, subject to allocation by the Treasury Board—Further amount required.....	990,000	

SCHEDULE—Continued

No. of Vote	Service	Amount	Total
	NATIONAL DEFENCE—Concluded	\$	\$
	PENSIONS AND OTHER BENEFITS		
	Militia Pensions Act		
603	Government's contribution to the Permanent Forces Pension Fund—Further amount required.....	1,175,166	21,575,166
	NATIONAL HEALTH AND WELFARE		
	NATIONAL HEALTH BRANCH		
	Health Services		
604	Food and Drugs—Further amount required.....	10,000	
605	Industrial Health—Further amount required.....	10,000	20,000
	NATIONAL REVENUE		
	CUSTOMS AND EXCISE DIVISIONS		
606	General Administration—Further amount required.....		5,000
	POST OFFICE		
607	Railway Mail Service—Further amount required.....		5,000,000
	PRIVY COUNCIL OFFICE		
	FEDERAL DISTRICT COMMISSION		
608	Maintenance and improvement of grounds adjoining Government Buildings, Ottawa, and improvements to the Parkway System under the control of the Federal District Commission—Further amount required.....		16,500
	PUBLIC PRINTING AND STATIONERY		
609	Distribution of Official Documents—Further amount required.....		1,300
	PUBLIC WORKS		
	ARCHITECTURAL BRANCH		
	Construction, Repairs and Improvements of Public Buildings		
	Construction, acquisition, repairs and improvements of, and plans and sites for, public buildings listed in the details of the Estimates, provided that Treasury Board may increase or decrease the amount within the vote to be expended on individual listed projects—Further amounts required—		
610	Quebec (\$81,000 less the amount of \$80,999 available from savings in other listed projects detailed in previous Estimates for 1950-51 for this province)...	1	
611	Ontario (\$755,000 less the amount of \$754,999 available from savings in other listed projects detailed in previous Estimates for 1950-51 for this province)...	1	

SCHEDULE—Continued

No. of Vote	Service	Amount	Total
		\$	\$
	PUBLIC WORKS—Concluded		
	ENGINEERING BRANCH		
	Maintenance and Operation of Graving Docks, Locks and Dams, etc		
612	Prince Rupert Dry Dock—To provide for operating losses and essential repairs in the fiscal year 1950-51, in accordance with the terms of Order in Council, P C 29/4700 of September 30, 1950.....	157,000	
	Construction, Repairs and Improvements— Harbours and Rivers		
	Construction, acquisition, repairs and improvements of, and plans and sites for, harbour and river works, listed in the details of the Estimates, provided that Treasury Board may increase or decrease the amount within the vote to be expended on individual listed projects—Further amount required—		
613	Quebec (\$393,000 less the amount of \$392,999 available from savings in other listed projects detailed in previous Estimates for 1950-51 for this province).....	1	
	GENERAL		
614	National Gallery of Canada—Further amount required.....	55,000	212,003
	RESOURCES AND DEVELOPMENT		
	ENGINEERING AND WATER RESOURCES BRANCH		
615	Notwithstanding the Trans-Canada Highway Act, to authorize and provide for a payment to the Provinces of Prince Edward Island, New Brunswick, Ontario, Manitoba, Saskatchewan, Alberta, British Columbia and Newfoundland, which have entered into an Agreement with Canada for construction of a part of the Trans-Canada Highway, in respect of construction of the Highway carried out between December 10, 1949 and the day on which these Provinces respectively signed the Agreement with Canada, in accordance with the regulations of the Governor in Council; the amount paid to each Province, however, not to exceed fifty per centum of the cost to the Province of the said construction as determined by the Governor in Council; the maximum amount authorized to be expended by Section 7 of the Trans-Canada Highway Act to be decreased to the extent of any amount paid pursuant to this Vote—Further amount required.....	1,100,000	
616	To provide for Studies and Surveys of the Red River Basin in Canada.....	145,000	
	NORTHERN ADMINISTRATION AND LANDS BRANCH		
617	Yukon Division— Operation and Maintenance of Services, including Forest Conservation—Further amount required.....	100,000	1,345,000

SCHEDULE—Continued

No. of Vote	Service	Amount	Total
		\$	\$
	SECRETARY OF STATE		
	PATENT AND COPYRIGHT OFFICE		
618	Patent Division—Further amount required.....		169,356
	TRADE AND COMMERCE		
	GENERAL ADMINISTRATION		
619	Commodities Branch, including assistance in the development of markets and the procurement of supplies, and contributions as detailed in the Estimates — Further amount required.....	75,250	
	CANADA GRAIN ACT		
620	Operation and Maintenance, including inspection, weighing, registration, etc.—Further amount required.....	15,000	
	SPECIAL		
621	To reimburse the Canadian Commercial Corporation for expenses incurred in purchasing materials, supplies and equipment, etc., on behalf of the Department of National Defence under Chapter 51, Statutes of 1947—Further amount required.....	506,000	
622	To reimburse the Canadian Wheat Board for final balance of the deficit incurred from the operation of the 1948 crop Max account for the period August 1, 1948 to July 31, 1950, authority P.C. 3376 dated July 28, 1948.....	2,536,775	
623	To approve transfer by the Canadian Wheat Board of residual amounts totalling \$720,590.96, shown in the 1940, 1941, 1942, 1943 and 1944 crop accounts of the Board, in respect of interest that accrued pending presentation of cheques issued in distribution of the amounts in those accounts, to the crop accounts of the Board for the pool period commencing August 1, 1945, and ending July 31, 1950, such amount to be deemed to be moneys received by the Board from the sale of wheat produced in the designated area and sold and delivered to the Board by producers during that pool period.....	1	
624	To provide for costs to be incurred in the planning and construction of emergency works to safeguard against the dangers of floods in the Red River Valley and the Winnipeg area generally, under an agreement or agreements with the province of Manitoba which shall provide that Canada shall meet 75% of the costs of such works, excluding the costs of land, and that Manitoba, or its municipalities or residents, shall meet the remaining cost, including the cost of land—Further amount required.....	1,353,000	
625	To reimburse Defence Construction Limited for expenses incurred in procuring the construction of defence projects on behalf of the Department of National Defence.....	500,000	
			4,986,026
	TRANSPORT		
626	Departmental Administration—Further amount required.....	20,000	

SCHEDULE—Continued

No. of Vote	Service	Amount	Total
	TRANSPORT—Continued	\$	\$
	MARINE SERVICE		
627	Administration of Floating Equipment—Further amount required.....	2,500	
628	Administration of Pilotage—Further amount required.....	19,373	
629	Miscellaneous Services relating to Navigation and Shipping—Further amount required.....	23,883	
630	River St Lawrence Ship Channel—Contract Dredging in the St Lawrence River and Montreal Harbour—Capital—Further amount required.....	491,020	
631	To provide towards the construction of a service vessel for the Eastern Arctic Patrol (Estimated cost \$3,000,000)—Capital—Further amount required.....	100,000	
632	To provide towards the reconditioning and refitting of vessels for Pacific Ocean Weather Station "P" (Estimated cost \$1,835,000)—Capital—Further amount required.....	660,000	
	GENERAL		
633	To provide for reimbursement of the Department of Transport Stores Account of the value of stores destroyed or damaged beyond repair in 1950.....	31,764	
	RAILWAY SERVICE		
634	Repairs and expenses in connection with the operation and maintenance of Official Railway Cars under the jurisdiction of the Department—Further amount required	20,000	
635	Maritime Freight Rates Act—Additional amount in excess of the sum of \$5,869,000 already appropriated to authorize and provide for the payment from time to time during the fiscal year 1950-51 to the Canadian National Railway Company of the difference (estimated by the Canadian National Railway Company and certified by the Auditors of the said Company to the Minister of Transport as and when required by the said Minister) occurring on account of the application of the Maritime Freight Rates Act, between the tariff tolls and the normal tolls (upon the same basis as set out in Section 9 of the said Act with respect to companies therein referred to) on all traffic moved during the calendar year 1950 under the tariffs approved on the Eastern Lines (as referred to in Section 2 of the said Act) of the Canadian National Railways—Further amount required.....	1,236,323	
636	Additional amount in excess of the sum of \$1,450,000 already appropriated to authorize and provide for the payment from time to time during the fiscal year 1950-51, of the difference (estimated by the Board of Transport Commissioners for Canada and certified by the said Board to the Minister of Transport, as and when required by the said Minister) occurring on account of the application of the Maritime Freight Rates Act, between the tariff tolls and the normal tolls (referred to in Section 9 of the said Act) on all traffic moved during the calendar year 1950 under the tariffs approved by the following companies: Canada and Gulf Terminal Railway; Canadian Pacific Railway, including: Fredericton and Grand Lake Coal and Railway Company, and New Brunswick Coal and Railway Company; Cumberland Railway and Coal Company; Dominion Atlantic Railway; Maritime Coal, Railway and Power Company; Sydney and Louisburg Railway—Further amount required.	30,000	
637	To provide for payment to the Canadian National Railway Company for expenditures incurred in a survey of properties of the former Temiscouata Railway.....	11,758	

SCHEDULE—Continued

No. of Vote	Service	Amount	Total
		\$	\$
	TRANSPORT—Concluded		
	AIR SERVICE		
	Administrative Division		
638	Air Service Administration—Further amount required.....	1,000	
	Radio Division		
639	Administration of the Radio Act and Regulations—Further amount required.....	27,000	
	General		
640	To provide for expenses of the Board of Enquiry re investigation of the "Canadian Pilgrim" Aircraft Accident.....	5,000	2,679,621
	VETERANS AFFAIRS		
	PAYMENTS TO OR FOR VETERANS AND DEPENDENTS		
641	To authorize payment to David Bruce Steele, under the Pension Act of such benefits as would be awarded under the said Act if the disabling condition had been incurred by him during service in World War II.....	1,050	
642	To authorize payment to Clarence M. Christie, under the Pension Act of such benefits as would be awarded under the said Act if the disabling condition had been incurred by him during service in World War II.....	1,550	
	SOLDIER SETTLEMENT AND VETERANS LAND ACT		
643	To authorize and provide for the purchase of the remaining financial interest of the United Kingdom Government in the 3,000 British Family Settlement Scheme and the New Brunswick 500 British Family Settlement Scheme.....	115,000	117,600
	GOVERNMENT OWNED ENTERPRISES		
	DEFICITS		
	TRADE AND COMMERCE		
644	To hereby authorize and provide for payment during the fiscal year 1950-51 to Trans-Canada Air Lines to be applied by Trans-Canada Air Lines in payment of the net deficit (certified by the Auditors of Trans-Canada Air Lines) resulting from the operations of Trans-Canada Air Lines and its subsidiary, Trans-Canada (Atlantic) Limited, during the calendar year 1950; this amount to be applied in the repayment of accountable advances made to the Company from the Consolidated Revenue Fund— Trans-Canada Air Lines (Surplus).....\$ 201,206 Trans-Canada (Atlantic) Limited (Deficit)..... 1,526,412 Net Deficit.....\$1,325,206	1,325,206	

SCHEDULE—*Concluded*

No. of Vote	Service	Amount	Total
	GOVERNMENT OWNED ENTERPRISES— <i>Concluded</i>	\$	\$
	DEFICIT— <i>Concluded</i>		
	TRANSPORT		
645	Amount required to provide for the payment during the fiscal year 1950-51 to the Canadian National Railway Company (hereinafter called the National Company) upon applications approved by the Minister of Transport, made from time to time by the National Company, to the Minister of Finance and to be applied by the National Company in payment of the net deficit (certified by the Auditors of the National Company) arising in the calendar year 1950, this amount to be applied in the repayment of accountable advances made to the National Company from the Consolidated Revenue Fund— Canadian National Railways, exclusive of Eastern Lines (Surplus).....\$ 9,540,961 Eastern Lines (Deficit).....12,802,196 Net Deficit.....\$ 3,261,235	3,261,235	
646	Additional amount in excess of the sum of \$720,000 already appropriated to provide for the payment during the fiscal year 1950-51 to the Canadian National (West Indies) Steamships, Limited (hereinafter called the Company) of the amount of the deficit occurring during the year ending December 31, 1950, in the operations of the Company and the vessels under the control of the Company, as certified by the Auditors of the Company, and upon applications made by the Company to the Minister of Finance and approved by the Minister of Transport—Further amount required.....	308,767	
647	Additional amount in excess of the sum of \$1,159,000 already appropriated, to provide for the payment during the fiscal year 1950-51 to the Canadian National Railway Company (hereinafter called the National Company) upon applications approved by the Minister of Transport, made from time to time by the National Company to the Minister of Finance, and to be applied by the National Company in payment of the deficit (certified by the Auditors of the National Company) in the operation of the Prince Edward Island Car Ferry and Terminals arising in the calendar year 1950—Further amount required.....	107,940	5,003,148
	LOANS, INVESTMENTS AND ADVANCES		
	CITIZENSHIP AND IMMIGRATION		
648	To authorize and provide for a special account in the Consolidated Revenue Fund from which interest-free loans may be made to heads of families or single persons, whose services are urgently required in Canada, towards the cost of ocean transportation to Canada and rail transportation in Canada from port of entry to destination—including cost of meals en route—under conditions fixed from time to time by the Governor in Council; and to authorize the crediting to such special account of repayments by immigrants and the readvancing of such repayments.....	3,000,000	
	TRANSPORT		
649	Advance to Canadian National (West Indies) Steamships, Limited, upon such terms and conditions as the Governor in Council may determine, to provide for working capital requirements.....	300,000	3,300,000
	Total.....		201,556,559

15 GEORGE VI.

CHAP. 3.

An Act to amend The Canadian Wheat Board Act, 1935.

[Assented to 21st March, 1951.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1935, c. 53;
1939, c. 39;
1940, c. 25;
1942-43, c. 4;
1947, c. 15;
1947-48, c. 4;
1950, cc. 31,
51, 50.

1. Paragraph (bb) of section twenty of *The Canadian Wheat Board Act, 1935*, chapter fifty-three of the statutes of 1935, as enacted by section three of chapter thirty-one of the statutes of 1950, is repealed and the following substituted therefor:

“(bb) each crop year subsequent to the thirty-first day of July, nineteen hundred and fifty and prior to the first day of August, nineteen hundred and fifty-three; and”

“pool period”
defined.

2. Paragraph (b) of subsection one of section twenty-one of the said Act, as enacted by section four of chapter thirty-one of the statutes of 1950, is repealed and the following substituted therefor:

“(b) pay to producers selling and delivering wheat produced in the designated area to the Board, at the time of delivery or at any time thereafter as may be agreed upon, a sum certain per bushel basis in store Fort William/Port Arthur or Vancouver to be fixed from time to time by regulation of the Governor in Council in respect of wheat of the grade No. 1 Manitoba Northern and by the Board, with the approval of the Governor in Council, in respect of each other grade thereof: Provided that such sum certain shall, in the case of grades other than No. 1 Manitoba Northern be such sum certain as in the opinion of the Board, with the approval of the Governor in Council, from time to time, brings the sum certain for each such grade into proper price relationship with the said sum

Proviso.

certain for the grade No. 1 Manitoba Northern; and where, pursuant to this paragraph, the sum certain payable to producers in respect of wheat of any grade is increased during a pool period, the Board shall pay to any person the amount of such increase in respect of each bushel of wheat of that grade produced in the designated area and sold and delivered by him as a producer to the Board during that pool period prior to the day on which such increase becomes effective;"

3. The said Act is further amended by adding thereto, immediately after section twenty-four thereof, the following section:

Transfer of
wheat from
one pool
period to
subsequent
pool
period.

"24A. The Governor in Council may authorize the Board to adjust its accounts at any time by transferring to the then current pool period all wheat delivered during a preceding pool period and then remaining unsold, and the Board shall credit to the accounts for that preceding pool period, and charge against the accounts for the current pool period, such amount as the Governor in Council deems to be a reasonable price for the wheat so transferred; and all wheat so transferred shall,

(a) for the purposes of the accounts relating to that preceding pool period, be deemed to have been sold and paid for in full for the said amount, and

(b) in the accounts relating to the current pool period, be dealt with as though it had been sold and delivered to the Board by producers in the current pool period and purchased by the Board for the said amount, but no further certificates in respect thereof shall be issued under paragraph (c) of subsection one of section twenty-one."

OTTAWA: Printed by EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
Law Printer to the King's Most Excellent Majesty.

15 GEORGE VI.

CHAP. 4.

An Act respecting the Department of Defence
Production.

[Assented to 21st March, 1951.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

SHORT TITLE.

1. This Act may be cited as *The Defence Production Act*. Short title

INTERPRETATION.

2. In this Act,

- (a) "associated government" means His Majesty's government in the United Kingdom, any other government of the British Commonwealth of Nations, the government of a country that is a member of the North Atlantic Treaty Organization or the government of any other country designated by the Governor in Council as being a country the defence of which is vital to the defence of Canada; Definitions.
"associated government."
- (b) "construct" includes repair, maintain, improve or extend; "construct."
- (c) "defence contract" means "defence contract."
(i) a contract with His Majesty or an agent of His Majesty or with an associated government, whether entered into before or after the commencement of this Act, that in any way relates to defence supplies or to defence projects or to the designing, manufacturing, producing, constructing, finishing, assembling, transporting, repairing, maintaining or servicing, or storing of or dealing in defence supplies or defence projects, and
(ii) a defence sub-contract as hereinafter defined;

"defence projects."

(d) "defence projects" means buildings, aerodromes, airports, dockyards, roads, defence fortifications or other naval, military or air force works, or works required for the production, maintenance or storage of defence supplies;

"defence supplies."

(e) "defence supplies" means

(i) arms, ammunition, implements of war, vehicles, mechanical and other equipment, watercraft, amphibious craft, aircraft, animals, articles, materials, substances and things required or used for the purposes of the defence of Canada or for co-operative efforts for defence being carried on by Canada and an associated government,

(ii) ships of all kinds, and

(iii) articles, materials, substances and things of all kinds used for the production or supply of anything mentioned in paragraph (i) or (ii) or for the construction of defence projects;

"Department."

(f) "Department" means the Department of Defence Production;

"essential material."

(g) "essential material" means a material or substance designated by the Governor in Council under section thirty as an essential material;

"essential service."

(h) "essential service" means the carrying on of any commercial activity, including the generation or distribution of electrical energy, designated by the Governor in Council under section thirty as an essential service;

"government issue."

(i) "government issue" means machinery, machine tools, equipment or defence supplies furnished by the Minister or by an agent of His Majesty on behalf of His Majesty or on behalf of an associated government or acquired or purchased on behalf of His Majesty or on behalf of an associated government with funds provided by the Minister or by an agent of His Majesty or by an associated government;

"investigator."

(j) "investigator" means a person appointed by the Minister to conduct an inquiry under section twenty-nine;

"mark-up."

(k) "mark-up" means the amount added to cost in determining the selling price to cover overhead and profit;

"Minister."

(l) "Minister" means the Minister of Defence Production;

"order."

(m) "order" means a general or specific order, requirement, direction or prescription in writing made or issued under this Act or a regulation;

"price."

(n) "price" includes rate or charge for any service;

"royalties."

(o) "royalties" includes licence fees and all other payments analogous to royalties, whether or not payable under any contract, that are calculated as a percentage of the cost or sale price of defence supplies or as a

fixed amount per article produced or that are based upon the quantity or number of articles produced or sold or upon the volume of business done, and includes claims for damages for the infringement or use of any patent or registered industrial design;

(p) "sale" includes consignment or other disposition of materials and the supplying of any service and "sold" has a corresponding meaning; and

(q) "defence sub-contract" means a contract or arrangement between any persons whomsoever, whether entered into before or after the commencement of this Act,

(i) to perform all or any part of the work or service, or to make or furnish any article or material for the purpose of any other defence contract,

(ii) under which any amount payable is contingent upon the entry into of any other defence contract or determined with reference to any amount payable under or otherwise by reference to any other defence contract, or

(iii) under which any part of the services performed or to be performed consists of soliciting, attempting to negotiate or negotiating any other defence contract or soliciting or negotiating for the purchase or sale of any articles, materials or services required to fulfill any other defence contract,

and for greater certainty but not so as to limit the foregoing, for the purposes of this paragraph the expression "other defence contract" includes a defence sub-contract as defined in this paragraph.

DEPARTMENT OF DEFENCE PRODUCTION.

3. (1) There shall be a department of the government of Canada to be called the Department of Defence Production, over which the Minister of Defence Production for the time being, appointed by Commission under the Great Seal, shall preside.

Department.

Minister.

(2) The salary of the Minister, unless he is in receipt of a salary as the Minister of another department of the Government of Canada, shall be ten thousand dollars per annum.

Minister's salary.

4. (1) There shall be a Deputy Minister of Defence Production, who shall be appointed by the Governor in Council.

Deputy Minister.

(2) The Governor in Council may appoint one or more Associate Deputy Ministers, who shall have the rank and status of deputy heads of a department and as such shall, under the direction of the Minister and of the Deputy Minister, perform such duties and exercise such authority as deputies of the Minister and otherwise, as may be assigned to them by the Minister.

Associate Deputy Ministers.

Officers

(3) Such officers, clerks and employees as are necessary for the proper conduct of the business of the Department may be appointed in the manner authorized by law but the Minister may

(a) with the approval of the Treasury Board, employ such technical or other temporary employees as he deems necessary, and, with such approval, fix the remuneration of and prescribe the travelling or other expenses that may be incurred by such employees; and

(b) employ any person to hold a position under this Act for a period not exceeding sixty days and fix the remuneration of and prescribe the travelling or other expenses that may be incurred by such person.

Exception

(4) Where the Governor in Council decides that it is not practicable or is not in the public interest to apply subsection three to any position or positions or employee or employees or any class thereof, the Governor in Council may exclude such position or positions or employee or employees or that class in whole or in part, from the provisions of subsection three and may make such regulations as he deems advisable with respect to employment therein, including appointment, organization, classification, rates of compensation and terms and conditions of employment.

Transfers;
Civil Service
Super-
annuation
Act
applicable

(5) Notwithstanding any other statute or law, where a person is appointed to a position under this Act and before his appointment he was a contributor under a Part of the *Civil Service Superannuation Act* other than Part VI and his appointment under this Act was made with the consent of the Minister of the department or branch of the public service in which he was employed, he continues while he holds a position under this Act to be such a contributor under the *Civil Service Superannuation Act* and for the purposes of that Act his service in a position under this Act shall be counted as service in the Civil Service and he, his widow, children or other dependants, if any, may be granted the respective allowances or gratuities provided by that Act.

Retirement

(6) Where a person to whom subsection five applies retires from a position under this Act for a reason other than misconduct,

(a) if before his appointment under this Act he was employed

(i) in a position to which the *Civil Service Act* applied or on the staff of the Canadian Commercial Corporation, he may be appointed to a position to which the *Civil Service Act* applies of a class not lower than the class in which he was so employed, or

(ii) in any other position in the public service, he may be appointed to a position in the public

service to which the *Civil Service Act* does not apply of a class not lower than the class in which he was so employed;

(b) if he fails to apply for or refuses appointment to a position to which he may be appointed under paragraph (a) and has not reached retirement age or become disabled or incapable of performing the duties of the position, he shall be deemed, for the purposes of the *Civil Service Superannuation Act*, to have retired voluntarily from a position in the Civil Service; or

(c) if he applies for and is not appointed to such a position he shall be deemed, for the purposes of the *Civil Service Superannuation Act*, to have been retired from his position in the Civil Service by reason of abolition of office;

and in either of the cases mentioned in paragraph (b) or (c) he may be granted such retiring leave as he might have been granted if his service in a position under this Act were service in the position in which he was employed before his appointment under this Act.

(7) The Governor in Council may make regulations to give effect to the provisions of this section or otherwise to provide for the administration of this Act. Regulations.

5. The Minister may authorize any person, on his behalf and under his control and direction, to do any act or thing or to exercise any power that the Minister may do or exercise under this Act. Minister empowered to authorize persons to act under his control.

6. The Governor in Council may appoint advisers and establish advisory and other boards, composed of such members as he may appoint, to advise or aid the Minister, to perform such duties and exercise such powers as he may designate, and may fix the remuneration and expenses to be paid to persons appointed under this section. Advisors.

7. (1) The Minister may, if he considers that the carrying out of the purposes or provisions of this Act is likely to be facilitated thereby, with the approval of the Governor in Council, procure the incorporation of any one or more corporations for the purpose of undertaking or carrying out any acts or things that the Minister is authorized to undertake or carry out under this Act. Corporations.

(2) For the purposes of this section, upon the request of the Minister, the Secretary of State of Canada may, by letters patent under his seal of office, grant a charter under Part I of *The Companies Act, 1934*, constituting such persons as are named by the Minister and any others who may thereafter be appointed by the Minister in their stead or in addition thereto a corporation for any purpose mentioned in subsection one. Charter under letters patent.
1934, c. 33.

Removal and appointment of members, directors or officers.

(3) The Minister may remove any members, directors or officers of a corporation incorporated under this section at any time and may appoint others in their stead or may appoint additional persons as members.

Agent of His Majesty.

(4) A corporation incorporated under this section is for all purposes an agent of His Majesty and its powers may be exercised only as an agent of His Majesty.

Actions against and by.

(5) Actions, suits or proceedings in respect of any right or obligation acquired or incurred by a corporation incorporated under this section on behalf of His Majesty whether in its name or in the name of His Majesty may be

(a) brought or taken against the corporation without the Governor General's fiat; or

(b) brought or taken by the corporation in the name of the corporation in any court that would have jurisdiction if the corporation were not an agent of His Majesty.

Audit of accounts.

(6) The accounts of a corporation incorporated under this section shall be audited by the Auditor General of Canada.

Minister may contract with corporation.

8. (1) Notwithstanding that a corporation is an agent of His Majesty, the Minister may, on behalf of His Majesty, enter into a contract under the provisions of this Act with the corporation as if it were not an agent of His Majesty.

Contract with person to act as agent of His Majesty.

(2) The Minister may, with the approval of the Governor in Council, enter into a contract with a person authorizing that person to act, under the control and direction of the Minister, as an agent of His Majesty, for any of the purposes for which the Minister is authorized to act on behalf of His Majesty under this Act.

RESPONSIBILITIES OF THE MINISTER.

Administration of Department under the Minister.

9. (1) The administration of the Department shall be under the management and direction of the Minister and the Minister may, subject to the provisions of this Act, exercise the powers conferred on him by this Act in relation to defence supplies or defence projects required for the purposes of the Department or any department or branch of the public service of Canada.

Minister's power to acquire supplies and construct projects.

(2) The Minister shall have exclusive authority to buy or otherwise acquire defence supplies and construct defence projects required by the Department of National Defence, except

(a) defence projects to be constructed by persons in the employ of His Majesty; and

(b) such defence supplies or defence projects as the Minister of National Defence or any other Minister designated by the Governor in Council may procure or construct at the request of the Minister.

(3) All powers, duties and functions that are vested in or required to be exercised or performed by the Minister of Trade and Commerce by or under any Act, order, regulation, contract, lease or other writing in relation to Canadian Arsenals Limited, Crown Assets Disposal Corporation, Defence Construction Limited, Polymer Corporation Limited, Eldorado Mining and Refining (1944) Limited (and its subsidiary Northern Transportation Company (1947) Limited) and Canadian Commercial Corporation are transferred to and shall be exercised or performed by the Minister.

Transfer of powers and duties from Minister of Trade and Commerce to the Minister.

(4) The Minister may exercise and carry out powers, duties and functions conferred or imposed on him by or pursuant to any other Act.

Exercise of powers conferred by other Acts.

10. If authorized by the Governor in Council so to do, the Minister may do or undertake, on behalf of an associated government, any act or thing that he is authorized to do or undertake by this Act on behalf of His Majesty.

Act for an associated government.

ORGANIZATION OF INDUSTRY FOR DEFENCE.

11. The Minister shall examine into, organize, mobilize and conserve the resources of Canada contributory to, and the sources of supply of, defence supplies and the agencies and facilities available for the supply of the same and for the construction of defence projects and shall explore, estimate and provide for the fulfilment of the needs, present and prospective, of the Government and the community in respect thereto and generally shall take steps to mobilize, conserve and co-ordinate all economic and industrial facilities in respect of defence supplies and defence projects and the supply or construction thereof.

Minister to mobilize, conserve and co-ordinate economic and industrial facilities.

12. The Minister may, by notice in writing, require a person

Minister may require persons to make returns.

(a) producing, dealing in or having control of defence supplies or constructing defence projects, or

(b) carrying on a business or possessing accommodation or facilities which in the opinion of the Minister is or are suitable for or can be adapted to producing, dealing in or storing defence supplies or constructing defence projects,

to make periodical or other returns, at such times and containing such particulars as may be specified in the notice, with respect to defence supplies produced, dealt in or controlled by such person or which are held or have been contracted for by him or which he contemplates acquiring, and the sources of supply thereof, and with respect to the facilities or accommodation which such person has available for or which are adaptable to the production or storage of defence supplies or the construction of defence projects.

Other
departments
to provide
supple-
mentary
returns.

13. Where a government department has, under or pursuant to any Act, power to obtain, for any purpose, information as to matters with respect to which the Minister is empowered to require returns to be made, that department shall, if so required by the Minister, exercise that power for the purpose of assisting the Minister in obtaining any such information.

Stock-piling.

14. The Minister may, on behalf of His Majesty and subject to the provisions of this Act, acquire, store, maintain and transport and sell, exchange or otherwise dispose of such materials or substances as may be designated by the Governor in Council as materials or substances essential to the needs of the community of which it is advisable to maintain stocks to safeguard against possible shortages thereof.

DEFENCE PROCUREMENT.

Ministerial
powers to
acquire and
dispose of
supplies.

Manufacture.

Defence
projects.

Professional
or commercial
services.

Deal with real
or personal
property.

Loans,
advances or
guarantees.

General.

15. The Minister may, on behalf of His Majesty and subject to the provisions of this Act,

- (a) buy or otherwise acquire, utilize, store, transport, sell, exchange or otherwise dispose of defence supplies;
- (b) manufacture or otherwise produce, finish, assemble, process, develop, repair, maintain or service defence supplies or manage and operate facilities therefor;
- (c) construct or acquire defence projects and sell, exchange or otherwise dispose of them;
- (d) arrange for the performance of professional or commercial services;
- (e) purchase or otherwise acquire, sell, exchange or otherwise dispose of real or personal property or any interest therein which, in the opinion of the Minister, is or is likely to be necessary or desirable for any of the purposes mentioned in paragraph (a), (b) or (c);
- (f) make loans or advances to or guarantee repayment of loans or advances made to a person for the purpose of providing assistance for the construction, acquisition, extension or improvement of capital equipment or works by, or to provide working capital for, that person for the manufacture, production, finishing, assembling, processing, development, storage, transportation, repairing, maintenance or servicing of defence supplies or for the construction or operation of defence projects or by way of advance payment on account of or to enable that person to carry out any contract entered into with the Minister under this Act or any defence contract; and
- (g) do all such things as appear to the Minister to be incidental to or necessary or expedient to the matters mentioned in the foregoing provisions of this section or as may be authorized by the Governor in Council with

respect to the procurement, construction or disposal of defence supplies or defence projects.

16. (1) An account shall be established in the Consolidated Revenue Fund for the purposes of this section, to be known as the Defence Production Revolving Fund.

Defence
Production
Revolving
Fund.

(2) There may be expended from time to time from the Consolidated Revenue Fund and charged to the Defence Production Revolving Fund amounts for the following purposes:

Expenditures
from
C. R. Fund.

(a) to pay the cost of acquisition, storage, maintenance or transportation of stocks of materials or substances purchased pursuant to section fourteen or of stocks of defence supplies acquired under section fifteen which the Minister deems it is advisable to maintain;

(b) to pay the cost of acquisition, storage or maintenance of defence supplies requisitioned for payment out of an appropriation or by an agent of His Majesty or to be paid for by an associated government, such amounts if paid from the Fund to be reimbursed from the appropriation or by the agent or associated government; and

(c) for loans or advances authorized under this Act for any purpose other than to assist in the construction, acquisition, extension or improvement of capital equipment or works by any person.

(3) There shall be shown as receipts in the Defence Production Revolving Fund all amounts

Receipts to
be shown
in the
Fund.

(a) received by the Receiver General of Canada from the sale or disposition by the Minister of materials, substances or defence supplies mentioned in paragraph (a) of subsection two;

(b) charged to another appropriation in respect of costs mentioned in paragraph (a) of subsection two, where the materials, substances or defence supplies may be acquired under that appropriation;

(c) charged to an appropriation or paid by an agent of His Majesty or by an associated government to pay costs incurred in respect of defence supplies payment for which was made out of the Fund under paragraph (b) of subsection two; or

(d) received in repayment of a loan or advance mentioned in paragraph (c) of subsection two.

(4) The expenditures charged to the Defence Production Revolving Fund shall not at any time exceed the receipts shown therein by more than one hundred million dollars or such further amount as Parliament may authorize from time to time.

Limitation on
amount of
expenditures.

(5) No amount may be credited to the Defence Production Revolving Fund as a receipt to reimburse the Fund

Credits for
losses only by
Parliamentary
appropriation.

for any loss sustained in respect of the acquisition and subsequent disposition of any defence supplies or on account of any loan or advance or otherwise except pursuant to an appropriation by Parliament for that purpose.

Contracts
only upon
Ministerial
requisition.

17. (1) The Minister may, on behalf of His Majesty, enter into contracts for the carrying out of anything he is authorized to do under section fourteen or fifteen and the following provisions apply with respect to every such contract entered into by the Minister on behalf of His Majesty:

- (a) no contract shall be entered into unless the Minister or the Minister of the department concerned has made a requisition stating the purpose for which the contract is to be entered into, and the estimated expenditure, loan or guarantee involved;
- (b) the requisition shall be signed by the Minister or the Minister of the department concerned if the estimated expenditure, loan or guarantee exceeds fifty thousand dollars, but otherwise may be signed by his deputy or other officer authorized by him;
- (c) the requisition, if not made by the Minister, shall be transmitted to the Minister;
- (d) except as authorized by paragraph (e), no contract may be entered into by the Minister without the approval of the Governor in Council; and
- (e) a contract may be entered into by the Minister without the approval of the Governor in Council if
 - (i) in the opinion of the Minister, the contract must be entered into immediately in the interests of defence,
 - (ii) the estimated expenditure, loan or guarantee does not exceed twenty-five thousand dollars, or
 - (iii) competitive tenders have been obtained and the lowest tender, involving an estimated expenditure not exceeding fifty thousand dollars, is accepted,
 but the Minister shall make a report to the Governor in Council in respect of any contract involving an estimated expenditure, loan or guarantee exceeding ten thousand dollars and entered into without the approval of the Governor in Council.

G. in C.
regulations re
payments in
excess of ex-
penditure
under
contracts.
Terms and
conditions
subject to
approval by
Minister.

(2) The Governor in Council may make regulations to prescribe conditions on which payments may be made under contracts entered into under subsection one in excess of the expenditure provided for under the contract.

(3) The Minister may settle or approve the terms and conditions of a contract he is authorized to enter into under this section and may from time to time prescribe general terms and conditions that may be incorporated by reference into particular defence contracts or any class or classes of defence contracts.

(4) Subject to the express terms and conditions contained therein, every defence contract that provides either expressly or in effect that general conditions identified by a specified designation or number are applicable thereto or form part thereof, shall be read and construed as if the general conditions to which reference is so made were expressly set out in the contract.

Subject to
general
conditions

18. Where by the terms of a defence contract it is provided that title to any government issue or building furnished or made available to a person or obtained or constructed by him with money provided by His Majesty or an agent of His Majesty or an associated government remains vested or vests in His Majesty or in an associated government free and clear from all claims, liens, charges and encumbrances, then, notwithstanding any law in force in any province, the title to the government issue or building remains vested or vests in accordance with the terms of the contract free and clear from all claims, liens and encumbrances and, subject to any provisions in the contract, His Majesty or the associated government in whom the title is vested is entitled at any time to remove, sell or dispose of the government issue or building.

Title to
government
issue or
building free
of all claims,
liens and en-
cumbrances.

19. No person is entitled to damages, compensation or other allowance for loss of profit, direct or indirect, arising out of the rescission or termination of a defence contract at any time before it is fully performed if it is rescinded or terminated pursuant to a power contained in the contract or pursuant to a power conferred by or under an Act of the Parliament of Canada.

Premature
rescission or
termination
of contract

20. (1) The Minister may, on behalf of His Majesty, contract with any person that His Majesty will relieve that person from any claims, actions or proceedings for the payment of royalties for the use or infringement of any patent or registered industrial design by that person in, or for the furnishing of any engineering or technical assistance or services to that person for, the performance of a defence contract.

Relief from
claims for
patent or
industrial
design in-
fringement.

(2) A person with whom the Minister has contracted under subsection one is not liable to pay royalties under any contract, statute or otherwise by reason of the infringement or use of a patent or registered industrial design in, or in respect of engineering or technical assistance or services furnished for the performance of a defence contract and to which the contract under subsection one applies.

Relief from
royalty
payments

(3) A person who, but for subsection two, would have been entitled to a royalty from another person for the

Compensation
for use of
patent or
industrial
design

infringement or use of a patent or registered industrial design or in respect of engineering or technical services for which a royalty would be payable but who by reason of subsection two is not so entitled, is entitled to reasonable compensation from His Majesty for the infringement, use or services and if the Minister and that person cannot agree as to the amount of the compensation, it shall be fixed by the Commissioner of Patents and any decision of the Commissioner under this section shall be subject to appeal to the Exchequer Court of Canada under the provisions of *The Patent Act, 1935*.

1935, c. 32.

Contractor
to keep
accounts and
records.

21. (1) A person who has entered into a defence contract shall keep detailed accounts and records of the cost of carrying out the contract and shall, on demand, produce to any person thereunto authorized by the Minister every account, record or document of any description with respect to the contract and with respect to his other business that may be required by the person so authorized and shall permit him to examine, audit and take copies of and extracts from the accounts, records or documents.

Re-assess-
ment of costs
and profits

(2) Where the Minister is satisfied, either before or after the performance, in whole or in part, of a defence contract entered into after the commencement of this Act, that the total amount paid or payable thereunder to any person is in excess of the fair and reasonable cost of performing the contract together with a fair and reasonable profit, he may by order reduce the amount that such person is entitled to retain or receive thereunder to such amount as he may fix as the fair and reasonable cost of performing the contract together with a fair and reasonable profit thereon and the Minister may direct that person to pay to the Receiver General of Canada forthwith any amount which that person has received under the contract in excess of the amount so fixed.

Idem.

(3) Where a person is a party to two or more defence contracts the Minister may

A person a
party to two
or more
contracts.

(a) by one order reduce the total amount that he is entitled to retain or receive under any two or more or all of the contracts to such amount as the Minister may fix as the fair and reasonable cost of performing the contracts together with a fair and reasonable profit thereon; or

(b) by order fix the amount that he is entitled to retain or receive in respect of defence contracts during such period as may be designated by the Minister as the fair and reasonable cost of performing the contracts together with a fair and reasonable profit thereon during that period;

and the Minister may direct him to pay to the Receiver General of Canada forthwith any amount which he has received under the contracts or in respect of defence contracts during the period in excess of the amount so fixed in respect thereof.

(4) Where a person has during a period carried on business other than the performance of defence contracts, the Minister may, for the purpose of determining his fair and reasonable cost of performing defence contracts, or the fair and reasonable profit thereon, during the period, determine for the purposes of this section the share or part of the gross income of that person or of the cost incurred by him during the period that is to be regarded as being attributable to such other business.

Contractor carrying on other business

(5) Where the Minister is satisfied that the accounts or records kept by a person with respect to the performance of a defence contract, or of defence contracts during any period designated by the Minister under subsection three or four, are insufficient to enable the cost of performance of the contract or contracts to be determined, or that the cost as shown by the accounts or records is not fair and reasonable, the Minister shall not be limited or bound by the accounts or records in fixing the fair and reasonable cost of performance of the contract or contracts.

Minister not necessarily bound by contractor's accounts and records.

(6) An amount payable to the Receiver General of Canada pursuant to a direction of the Minister under this section is recoverable in the Exchequer Court of Canada or any other court of competent jurisdiction, with full costs of suit, as a debt due to His Majesty.

Re-payments recoverable in Court.

22. (1) A person affected by an order or direction made by the Minister under section twenty-one may, within thirty days after the receipt of a copy of the order or direction, inform the Minister of his intention to appeal against the order or direction to the Exchequer Court of Canada and shall, within such period of thirty days, file a notice of such intention in the Court and upon giving and filing the notice all proceedings under the order or direction shall be stayed pending disposition of the appeal by the Exchequer Court.

Appeal to Exchequer Court.

(2) Where a person has appealed under this section against an order or direction made by the Minister under section twenty-one, a judge of the Exchequer Court may, on application made on behalf of the Minister, if it appears to him that the person appealing has assets to pay the amount required to be paid by him under the order or direction in whole or in part but that the assets may be disposed of or converted before the appeal is decided in such way that assets to pay any amount that may be owing as a result of the appeal may not be available, order that person

Appellant may be ordered to give security.

to give security to the satisfaction of the Court for payment of the whole or such part of the amount payable under the order or direction as the judge deems advisable in the circumstances.

Proceedings
on appeal.

Court
decision final.

(3) Where a notice of appeal has been filed in accordance with subsection one, the Exchequer Court shall, on the application of the Minister or of the appellant, give directions relative to the disposition of the appeal and shall upon the hearing of the appeal have jurisdiction to review any direction or decision of the Minister under this section and may confirm the Minister's order or direction or vary the same as it deems just and the decision of the Court shall be final and conclusive.

Person
refusing
contract
may be
ordered to
comply.

23. (1) Where a person who has been requested to enter into a defence contract on terms and conditions that the Minister considers to be fair and reasonable has refused or failed to enter into the contract, if the Minister is satisfied that such person owns or controls facilities that are suitable for or can be adapted to the work required to carry out such contract and that his refusal or failure was without reasonable excuse, the Minister may direct that person to produce, deliver or store, or to construct, as the case may be, on such terms and conditions and within such period as the Minister considers to be fair and reasonable in the circumstances, the defence supplies or the defence project or projects that would have been the subject-matter of the contract if it had been entered into.

Person
liable for
loss or
damage.

(2) A person who stores defence supplies pursuant to a direction under this section is liable for the loss thereof or for damage thereto as if he had agreed to store them for reward.

Minister may
requisition
supplies.

24. (1) The Minister may, where he deems it necessary for any of the purposes of this Act, by notice in writing to a person who owns or has in his possession, custody or control defence supplies, requisition the supplies on behalf of His Majesty.

Upon notice
given supplies
vest in His
Majesty.

(2) Where a notice has been given by the Minister under subsection one, all right, title or interest in the defence supplies specified in the notice forthwith vest in His Majesty.

Compensa-
tion in lieu of
supplies.

(3) The compensation payable for defence supplies requisitioned under this section shall stand in the stead of the supplies and any claim to or encumbrance upon the supplies is, with respect to His Majesty, converted into a claim to the compensation money or to a proportionate amount thereof and is void with respect to the supplies.

Refusal to
possession
of requisitioned
supplies.

(4) Where a person who has in his possession defence supplies that have been requisitioned under this section,

refuses to permit the Minister or any person authorized by the Minister in that behalf to take possession of or to remove the supplies, a judge of the Exchequer Court or of any superior court in the province may, on application by the Attorney General of Canada and after notice to show cause given in such manner as the judge prescribes, issue his warrant to the sheriff of the district or county within which the supplies are situated, directing him to seize the supplies and deliver them to the Minister or a person acting for the Minister in that behalf.

25. The compensation to be paid to any person to whom a direction has been given by the Minister under section twenty-three or for any defence supplies requisitioned by the Minister under section twenty-four shall be such as may be agreed upon between the Minister and the person entitled to the compensation and in default of agreement the claim for compensation shall be referred by the Minister of Justice to the Exchequer Court of Canada.

Com-
pensation.

26. The Governor in Council may make such regulations or orders as he deems necessary or advisable to require persons who produce or deal in defence supplies or construct defence projects to give priority in the carrying on of their business, in such manner and on such terms and conditions as may be prescribed by or pursuant to the regulations, to the production of or dealing in defence supplies or construction of defence projects to meet the requirements of the defence of Canada or of an associated government.

Order priority
of production.

27. (1) Where the Minister is satisfied that

(a) a person who has entered into a defence contract has failed or is likely to fail to perform the contract in a businesslike and efficient manner,

(b) a person who has entered into a defence contract has failed to keep proper and detailed accounts and records of the cost of the work performed under the contract, or

(c) a person to whom a direction has been given under section twenty-three, or who is required pursuant to a regulation to give priority in the carrying on of his business to the production of or dealing in defence supplies, or construction of defence projects has failed without reasonable excuse to comply with the direction or regulation or the Minister is satisfied that he will so fail or is likely so to fail

the Minister may authorize another person (in this Act called a "controller") to carry on, until the Minister otherwise directs, the whole or any part of the business of that person.

Appointment
of controller.

Controller
agent of the
owner.

(2) Where a controller has been appointed to carry on a business or a part thereof, he shall be deemed to be the agent of the owner thereof for the purpose of carrying on the business or that part thereof, except that the owner shall not have any right to control the business or that part thereof and the controller may, subject to any instructions of the Minister, do all such things as he thinks fit for the purpose of carrying on the business or that part thereof.

Owner to
furnish
information
required by
controller.

(3) A controller may direct the owner of or any person employed in connection with a business or the part of a business in respect of which the controller was appointed to furnish to him estimates, returns or other information relating thereto.

Relief from
other
obligations.

28. (1) The Governor in Council may, by order, direct that a person shall not be bound by any obligation, restriction or limitation imposed on that person by or under any statute, order, rule, regulation, by-law, or contract with respect to such matters as may be specified in the order affecting the entry into or performance of a defence contract by that person or the carrying out of an order made by the Minister under this Act.

Defence to
action for
failure to
fulfil
contract.

(2) Where the failure to fulfil any contract, whether entered into before or after the commencement of this Act, is due to the compliance on the part of any person with any provision of this Act or any order or regulation, proof of that fact shall be a good defence to any action or proceeding in respect of the failure.

Inquiry and
appointment
of investiga-
tor.

29. (1) The Minister may, whenever he deems it expedient, cause an inquiry to be made into and concerning any matter relating to or incidental to or arising out of a defence contract or any group or series of defence contracts or any dealings in or with defence supplies, and may appoint a person or persons by whom the inquiry shall be conducted.

Powers,
R.S., c. 99.

(2) An investigator has all the powers conferred on commissioners by sections four and five of the *Inquiries Act* or which may be conferred on commissioners under subsection one of section eleven thereof.

Representa-
tion by
counsel.

(3) An investigator may allow any person whose conduct is being investigated under this Act, and shall allow any person against whom a charge is made in the course of such inquiry, to be represented by counsel.

Report only
after notice
and hearing.

(4) No report shall be made against any person until reasonable notice has been given to him of the matters alleged against him and he has been allowed full opportunity to be heard in person or by counsel.

Powers of
entry and
seizure.

(5) An investigator may in writing, with the approval of a judge of the Exchequer Court of Canada or of the Supreme or Superior Court or a County Court of any province, which

approval such judge is hereby empowered to give upon the *ex parte* application of the investigator, authorize an officer or constable of the Royal Canadian Mounted Police or any police officer or constable or other person employed for the preservation and maintenance of the public peace, together with any other person named in such writing, to enter and search, if necessary by force, any building, receptacle or place for books, records, documents or things that may contain or give information required for the purposes of an inquiry under this section and to seize any books, records, documents or things and carry them before the investigator or such other person as the investigator may direct, to be held at the discretion of the investigator for the purposes of the inquiry.

(6) When an investigator summons a witness before him, reasonable travelling expenses shall be paid to the witness at the time of service of the summons. Witness fees and expenses.

ESSENTIAL MATERIALS AND SERVICES.

Designation.

30. The Governor in Council may, from time to time, Designation of materials and services as essential.
 (a) designate as an essential material any material or substance the control of the supply and use of which is, in his opinion, essential to ensure the availability of adequate defence supplies or for the construction or operation of defence projects; or

(b) designate as an essential service the carrying on of any commercial activity, including the generation and distribution of electrical energy, the control of which is, in his opinion, essential for the adequate production or use of essential materials for defence supplies or defence projects;

to meet the requirements of the defence forces of Canada or for co-operative efforts for defence being carried on by Canada and associated governments.

Control.

31. (1) The Governor in Council may do and authorize such acts and things and make from time to time such orders and regulations as he deems necessary to control and regulate the production, processing, distribution, acquisition, disposition or use of essential materials or the supply or use of essential services for the purposes of Control over essential supplies and projects.

(a) ensuring the availability of defence supplies or the construction or operation of defence projects for the defence requirements of Canada and for co-operative arrangements for defence being carried on by Canada and associated governments; or

- (b) ensuring that abnormal requirements of essential materials and services for defence supplies or defence projects are obtained in the manner least likely to cause disruption of the trade and commerce of Canada dependent on those materials and services, which disruption might impede or prejudice the defence preparations or the economic stability of Canada.

Ministerial
orders.

(2) Subject to the regulations, if any, the Minister may, by order, as he deems necessary for the purposes specified in subsection one,

- (a) require any person who produces, processes, deals in or has in his possession or control any essential materials to deal with, supply or dispose of any such materials in such manner and in such priority to that person's other transactions as the Minister may prescribe;
- (b) require any person who produces or processes any essential materials to produce or process any such materials in such manner and in such priority to that person's other production or processing operations as the Minister may prescribe;
- (c) prescribe the quantities of, the manner and circumstances in which and the conditions on which any essential materials may be produced, processed, used, acquired or disposed of, either generally or within periods of time prescribed by the Minister, and for these purposes may require persons to obtain permits;
- (d) require any person who supplies any essential service to supply the service to such persons, to such extent and on such conditions as the Minister may prescribe;
- (e) prescribe the restrictions and conditions according to which an essential service may be supplied or used, either generally or within periods of time prescribed by the Minister, and for these purposes may require persons to obtain permits;
- (f) fix the maximum prices, either by determining the selling price or the mark-up, at which and the terms and conditions on which any essential materials or essential services may be sold or offered for sale by any person; and require any seller to refund to any buyer any sum or consideration received in excess of a maximum selling price so fixed;
- (g) prescribe the circumstances in which and the terms and conditions on which, for any purposes of this Act, permits shall be obtained from the Minister or from a person designated by the Minister; grant general or other permits; and amend, suspend or cancel any permit;
- (h) require any person to furnish such information respecting essential materials produced, processed or dealt in by him or essential services supplied by him,

or respecting his production and other facilities relating thereto, in such time and manner as the Minister may prescribe; and

- (i) do such further things in regard to the production, supply, distribution and use of essential materials or essential services as may be authorized by order or regulation of the Governor in Council.

OFFENCES.

32. (1) Every person who

Offences.

(a) being required to make a return under section twelve fails to make the return or knowingly or recklessly makes an untrue statement in the return,

(b) fails to comply with a direction given to him under section twenty-three,

(c) wilfully obstructs a controller in the exercise of any of his functions under section twenty-seven,

(d) fails to comply with a direction given by a controller under section twenty-seven or in purported compliance with any such direction knowingly furnishes a false return, estimate or other false information, or

(e) contravenes or fails to observe any provision of this Act or any order or regulation not mentioned in paragraphs (a) to (d),

is guilty of an offence.

(2) Every person guilty of an offence under paragraph

Penalties.

(a) of subsection one is liable on summary conviction to a fine not exceeding five hundred dollars, and if the failure to make the return of which he is convicted continues after the conviction, he is guilty of an offence and liable on summary conviction to a fine not exceeding two hundred dollars for each day on which the failure continues, but the court by which he is convicted may fix a reasonable period from the day of his conviction for the making of the return, and where a court has fixed such a period he is not guilty of an offence for failure to make the return during any day in that period if before the end of the period he makes the return.

(3) Every person guilty of an offence under this Act, other than an offence mentioned in subsection two, is liable upon summary conviction or conviction upon indictment to a fine not exceeding five thousand dollars or to imprisonment for a period not exceeding two years or to both fine and imprisonment.

Idem.

(4) In any prosecution under Part XV of the *Criminal Code* for an offence under this Act the complaint shall be made or the information laid within twelve months from the time when the matter of the complaint or information arose.

Complaint or
information
within
12 months.
R.S., c. 36.

Officers or
directors of
guilty
corporation.

(5) Where a corporation is guilty of an offence under this Act, any officer or director of the corporation is a party to and guilty of the offence if it was committed with his knowledge unless he exercised all due diligence to prevent the commission of the offence; and in any proceeding against a person who was a director or officer of a corporation when the corporation committed an offence under this Act for being a party to and guilty of such offence, the burden of proving his absence of such knowledge or the exercise of such due diligence by him shall be upon the accused.

Defence of
due diligence.

33. It shall be a defence to any charge laid in respect of an offence alleged to have been committed by a person under this Act by reason of failure to make any return or to comply with any direction or order if that person establishes that he used all due diligence to make the return or comply with the direction or order and failed to do so for a reason beyond his control.

ANNUAL REPORT.

Report to
Parliament.

34. The Minister shall, before the thirty-first day of March in each year, prepare a report showing the operations of the department during the year last preceding and shall after completion of the report forthwith lay it before Parliament, or if Parliament is not then sitting, shall lay it before Parliament within fifteen days after the commencement of the next ensuing session.

GENERAL.

Non-
disclosure of
information

35. No information with respect to an individual business that has been obtained under or by virtue of this Act shall be disclosed without the consent of the person carrying on that business except,

(a) to a government department, or any person authorized by a government department, requiring such information for the purpose of the discharge of the functions of that department; or

(b) for the purposes of any prosecution for an offence under this Act, or, with the consent of the Minister, for the purposes of any civil suit or other proceeding at law.

C.C. Corpora-
tion and
companies
under Govern-
ment
Companies
Operation
Act capacity
and powers.

36. The Canadian Commercial Corporation or a company to which *The Government Companies Operation Act* applies has capacity and power to make arrangements to act on behalf of the Minister under this Act or to enter into contracts to act as agent of His Majesty under this Act and the making of such arrangements or the entry into such contracts and the carrying out thereof shall be deemed to be included in the objects and purposes for which the Corporation or the company was incorporated.

37. No controller or investigator is responsible at law for any act or thing done by him in good faith in the performance of his duties or the exercise of his powers under this Act and no action may be taken against a controller or investigator in respect thereof but nothing in this section limits or restricts the rights of any person against the Crown.

No action lies against controller or investigator.

38. The powers conferred by this Act may be exercised notwithstanding anything contained in the *Public Works Act* or in the *Public Printing and Stationery Act*.

Paramount powers under this Act.
R.S., c. 166.
R.S., c. 162.

39. The Governor in Council may make orders and regulations to carry out the purposes and provisions of this Act.

Orders and regulations.

REPEAL AND SUSPENSION OF ACTS.

40. (1) *The Essential Materials (Defence) Act*, chapter six of the statutes of 1950-51, is repealed.

Repeal.

(2) *The Defence Supplies Act*, chapter thirty-three of the statutes of 1950, shall have no force or effect while this Act remains in force except in so far as it is necessary to give effect to anything done thereunder before the coming into force of this Act.

Repeal.

(3) All powers, duties and functions that are vested in the Minister of Trade and Commerce under any contract, agreement, lease or other writing entered into pursuant to *The Department of Munitions and Supply Act*, chapter three of the statutes of 1939 (Second Session), or *The Defence Supplies Act*, chapter thirty-three of the statutes of 1950, are transferred to and shall be exercised and performed by the Minister.

COMMENCEMENT.

41. This Act shall come into force on a day to be fixed by proclamation of the Governor in Council.

Coming into force.

EXPIRY.

42. This Act, except subsection six of section four, shall expire on the thirty-first day of July, nineteen hundred and fifty-six.

Expiration.

15 GEORGE VI.

CHAP. 5.

An Act to confer certain Emergency Powers upon the Governor in Council.

[Assented to 21st March, 1951.]

WHEREAS an international emergency exists that threatens the security of Canada; Preamble.

AND WHEREAS it is essential that emergency powers be conferred to enable measures to be taken as urgently required from time to time to carry out adequate defence preparations, to regulate the economy of Canada to meet the needs of defence and to stabilize the economy and to safeguard it from disruption that may result from defence preparations in Canada or from emergency measures taken in other countries, in order that defence preparations may not be impeded;

AND WHEREAS it is preferable that the necessary emergency powers be exercised under special authority from Parliament rather than that the *War Measures Act* be brought into force so long as present efforts to avert war are continuing and, moreover, it is not desirable that the wide powers conferred by that Act to interfere with the fundamental liberties of the individual should now be brought into operation: R S., c. 206.

THEREFORE His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

SHORT TITLE.

1. This Act may be cited as *The Emergency Powers Act*. Short title.

POWERS OF THE GOVERNOR IN COUNCIL.

2. (1) The Governor in Council may do and authorize such acts and things, and make from time to time such orders and regulations, as he may by reason of the existing international emergency deem necessary or advisable for G. in C.
powers.

the security, defence, peace, order and welfare of Canada; and for greater certainty, but not so as to restrict the generality of the foregoing terms, it is hereby declared that the powers of the Governor in Council shall extend to all matters coming within the classes of subjects hereinafter enumerated, that is to say:—

- (a) control and suppression of maps, plans and photographs;
- (b) control of communications and means of communication;
- (c) control of the harbours, ports and territorial waters of Canada and the movements of vessels;
- (d) transportation by land, air or water and the control of the transport of persons and things;
- (e) trading, exportation, importation, production and manufacture; and
- (f) imposition and recovery, in connection with any scheme of control, of fees or charges payable to the Receiver General of Canada or into any fund or account established by order or regulation for the purposes of the scheme of control.

Powers
restricted.

(2) Notwithstanding anything contained therein, the powers conferred on the Governor in Council by subsection one do not include power to make orders or regulations in relation to

- (a) arrest, except as incidental to proceedings under section three, detention, exclusion or deportation of any person;
- (b) censorship or the control and suppression of publications and writings; or
- (c) expenditure of moneys otherwise than in accordance with an appropriation by Parliament except expenditure of moneys from any fund or account established by order or regulation in connection with a scheme of control for the purposes of that scheme of control.

Orders and
regulations to
have force
of law.

(3) All orders and regulations made under or pursuant to authority conferred under this Act have the force of law while this Act is in force.

Period for
laying before
Parliament.
1950, c.50.

(4) In respect of a regulation made under this Act, the period for laying a regulation before Parliament under section seven of *The Regulations Act* is

- (a) five days after the making of a regulation if it is made by the Governor in Council, and
 - (b) fifteen days after the making of the regulation in the case of any other regulation,
- or if Parliament is not then in session, a like period after the commencement of the next ensuing session thereof.

(5) If the Senate and House of Commons within a period of forty days, beginning with the day on which any regulation is laid before Parliament in accordance with subsection four and excluding any time during which Parliament is dissolved or prorogued or during which both the Senate and House of Commons are adjourned for more than four days, resolve that it be annulled, it shall cease to have effect.

Annulment
of Orders
in Council
by Senate
and House
of Commons
resolution.

3. (1) The Governor in Council may prescribe penalties by way of fine or by way of imprisonment for a term not exceeding five years, or by way of both fine and such imprisonment, that may be imposed for violation of orders or regulations made under this Act and may also prescribe whether, and the circumstances in which, the said penalties shall be imposed upon summary conviction or indictment.

Penalties.

(2) Any goods, wares or merchandise dealt with contrary to any order or regulation made under this Act may be seized and detained and shall be liable to forfeiture at the instance of the Minister of Justice, upon proceedings in the Exchequer Court of Canada, or in any superior court, and any such court may make rules governing the procedure upon any proceedings taken before such court or a judge thereof under this section.

Seizure,
detention
and
forfeiture
of goods,
etc.

DURATION.

4. Sections one to three of this Act expire on the thirty-first day of May, one thousand nine hundred and fifty-two: Provided that if at any time while they are in force addresses are presented to the Governor General by the Senate and House of Commons, respectively, praying that they should be continued in force for a further period, not exceeding one year from the time at which they would otherwise expire, and the Governor in Council so orders, they shall continue in force for that further period.

Expiration
of sections 1
to 3.

Continuance
upon
addresses
of Senate
and House
of Commons

SAVINGS.

5. Nothing in this Act limits or restricts the powers conferred on the Governor in Council by the *War Measures Act* and, notwithstanding anything in section four, if while sections one to four are in force a proclamation is issued under the *War Measures Act* declaring that war, invasion or insurrection, real or apprehended, exists, sections one to four are repealed and all orders and regulations lawfully made under or pursuant to authority conferred under this Act in force immediately before those sections are so repealed, continue in full force and effect as if made under the *War Measures Act* and shall be deemed to have been so made.

Application
of the
*War
Measures
Act*.

15 GEORGE VI.

CHAP. 6.

An Act to amend The Farm Improvement Loans Act, 1944.

[Assented to 21st March, 1951.]

1944-45, c. 41;
1947, c. 34;
1947-48, c. 9;
1950, c. 50.

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. Section four of *The Farm Improvement Loans Act, 1944*, chapter forty-one of the statutes of 1944-45, as enacted by section one of chapter nine of the statutes of 1947-48, is amended by adding thereto the following subsection:

Limitation
of amount
of liability
to bank.

“(3) The Minister shall not be liable under this Act to pay to a bank, in respect of losses sustained by it as a result of farm improvement loans made by it during the period commencing on the first day of March, nineteen hundred and fifty-one, and ending on the twenty-eighth day of February, nineteen hundred and fifty-four, a total amount in excess of ten per centum of the aggregate principal amount of the guaranteed farm improvement loans made by the bank during that period.”

Idem.

2. Section five of the said Act, as enacted by section one of chapter nine of the statutes of 1947-48, is repealed and the following substituted therefor:

“**5.** The Minister shall not be liable under this Act to make any payment to a bank in respect of loss sustained by it as a result of a farm improvement loan made after the aggregate principal amount of the guaranteed farm improvement loans made by all banks during the period commencing on the first day of March, nineteen hundred and fifty-one, and ending on the twenty-eighth day of February, nineteen hundred and fifty-four, exceeds two hundred million dollars or made more than nine years after the first day of March, nineteen hundred and forty-five.”

Idem.

3. This Act shall be deemed to have come into force on the first day of March, nineteen hundred and fifty-one.

Coming
into force.

15 GEORGE VI.

CHAP. 7.

An Act to amend The Foreign Exchange Control Act.

[Assented to 21st March, 1951.] 1946, c. 53;
1947-48, c. 51;
1949
(1st Sess.),
c. 4;
1950, c. 50.

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. Section seventy-three of *The Foreign Exchange Control Act*, chapter fifty-three of the statutes of 1946, as enacted by section one of chapter four of the statutes of 1949 (First Session), is repealed and the following substituted therefor:

“73. This Act shall continue in force and have effect until sixty days after the commencement of the first session of Parliament commencing in the year one thousand nine hundred and fifty-three.” Continuance.

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Law Printer to the King's Most Excellent Majesty.

15 GEORGE VI.

CHAP. 8.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1952.

[Assented to 31st May, 1951.]

MOST GRACIOUS SOVEREIGN,

WHEREAS it appears by messages from His Excellency, Preamble.
the Right Honourable Viscount Alexander of Tunis, etc., etc., Governor General of Canada, and the estimates accompanying the said messages, that the sums hereinafter mentioned are required to defray certain expenses of the public service of Canada, not otherwise provided for, for the financial year ending the thirty-first day of March, one thousand nine hundred and fifty-two, and for other purposes connected with the public service: May it therefore please Your Majesty, that it may be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:

1. This Act may be cited as *The Appropriation Act*, Short title.
No. 3, 1951.

2. From and out of the Consolidated Revenue Fund, \$206,696,711.58 granted for 1951-52.
there may be paid and applied a sum not exceeding in the whole two hundred and six million, six hundred and ninety-six thousand, seven hundred and eleven dollars and fifty-eight cents, towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and fifty-one, to the thirty-first day of March, one thousand nine hundred and fifty-two, not otherwise provided for, and being one-twelfth of the amount of each of the items (with the exception of items 62, 121, 204 and 470) to be voted set forth in the Main Estimates for the fiscal year ending the thirty-first day of March, one thousand nine hundred and fifty-two, as laid before the House of Commons at the present session of Parliament.

\$1,578,279.67
granted for
1951-52.

3. From and out of the Consolidated Revenue Fund, there may be paid and applied, in addition to the amount granted therefor by section two of this Act, a sum not exceeding in the whole one million, five hundred and seventy-eight thousand, two hundred and seventy-nine dollars and sixty-seven cents, towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and fifty-one, to the thirty-first day of March, one thousand nine hundred and fifty-two, not otherwise provided for, and being one-twelfth of the amount of the several items to be voted set forth in Schedule A to this Act.

Account
to be
rendered
in detail.

4. A detailed account of the sums expended under the authority of this Act shall be laid before the House of Commons of Canada during the first fifteen days of the next session of Parliament.

SCHEDULE A

Based on the Main Estimates, 1951-52. The amount hereby granted is \$1,578,279.67, being one-twelfth of the amount of the several items in the said Estimates as contained in this Schedule.

SUMS granted to His Majesty by this Act for the financial year ending 31st March, 1952, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		\$	\$
	AGRICULTURE		
41	To provide for Quality Premiums on High Grade Hog Carcasses and Administration Costs.....	5,536,000	
	EXTERNAL AFFAIRS		
86	Representation Abroad—Operational—including payment of salaries of High Commissioners, Ambassadors, Ministers Plenipotentiary, Consuls, Secretaries and staff appointed as directed by the Governor General in Council, notwithstanding anything to the contrary in the Civil Service Act or any of its amendments.....	4,492,816	
	JUSTICE		
177	Payments of gratuities to the widows or other dependents of judges who die while in office.....	15,000	
	MINES AND TECHNICAL SURVEYS		
226	Geological Survey of Canada— Administration, Operation and Maintenance.....	1,414,173	
229	Topographical Surveys, including expenses of the Canadian Board on Geographical Names— Administration, Operation and Maintenance.....	1,367,946	
231	Canadian Hydrographic Service— Administration, Operation and Maintenance.....	1,575,002	
233	Geodetic Survey of Canada— Administration, Operation and Maintenance.....	661,935	
235	Legal Surveys and Aeronautical Charts— Administration, Operation and Maintenance.....	548,907	
238	Geographical Branch— Administration, Operation and Maintenance.....	240,711	
239	Dominion Observatory, Ottawa— Administration, Operation and Maintenance.....	332,148	
	PUBLIC ARCHIVES		
328	General Administration and Technical Services.....	263,473	

SCHEDULE A—*Concluded*

No. of Vote	Service	Amount	Total
		\$	\$
	RESOURCES AND DEVELOPMENT		
394	Water Resources Division— To provide for studies and surveys of the Columbia River Watershed in Canada.....	381,095	
426	To assist in promoting the Tourist Business in Canada.....	1,503,197	
	TRADE AND COMMERCE		
456	Canadian International Trade Fair, 1951, including authority to refund from revenue deposits received for contracts for space.....	606,053	
			*18,939,356

* Net total \$1,578,279.67.

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15 GEORGE VI.

CHAP. 9.

An Act respecting the appointment of Auditors
for National Railways.

[Assented to 31st May, 1951.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Notwithstanding the provisions of section thirteen of *The Canadian National-Canadian Pacific Act, 1933*, chapter thirty-three of the statutes of 1932-33, as enacted by section three of chapter twenty-five of the statutes of 1936, respecting the appointment of auditors by joint resolution of the Senate and House of Commons, George A. Touche and Company, of the cities of Toronto and Montreal, chartered accountants, are appointed as independent auditors for the year 1951, to make a continuous audit under the provisions of the said section, of the accounts of National Railways as defined in the said Act.

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15 GEORGE VI.

CHAP. 10.

An Act respecting the Construction and Maintenance of a Bridge over the St. Lawrence River at or near the Town of Valleyfield, in the Province of Quebec.

[Assented to 31st May, 1951.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. Subject to this Act, the Government of the Province of Quebec is authorized to construct and maintain a bridge and its approaches for the passage of pedestrians, vehicles, carriages and other like purposes across the St. Lawrence River at or near the Town of Valleyfield, in the Province of Quebec. Construction of bridge authorized.

2. (1) Construction of the bridge shall not be undertaken until the site thereof and the plans therefor have been approved by the Governor in Council. Approval of site

(2) The material to be submitted to the Governor in Council for the approval required by subsection one shall include a design and drawing of the bridge and a map of the location giving the soundings accurately and showing the bed of the stream, and such other information as is required for a full and satisfactory understanding of the proposed work. Plans, etc

(3) No changes shall be made in the plans without the approval of the Governor in Council. Alteration.

3. (1) The construction and maintenance of the bridge shall be subject to and in accordance with such regulations as the Governor in Council may make for those purposes. Regulations.

(2) The Governor in Council may, in addition to the regulations authorized by subsection one, make such regulations in relation to the bridge as he deems expedient for navigation purposes. Idem

(3) All persons affected by any regulations made under this section shall comply therewith. Compliance.

15 GEORGE VI.

CHAP. 11.

An Act to amend The Canadian and British Insurance Companies Act, 1932.

[Assented to 31st May, 1951.]

1932, c. 46;
1932-33, c. 32
1934, cc. 27,
45;
1936, c. 18;
1937, c. 5;
1938, c. 21;
1939, c. 10;
1944-45, c. 32;
1945 (2nd
sess.), c. 13;
1947, c. 27;
1947-48, c. 36;
1949, c. 6;
1950, c. 28;
1950, c. 50.

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. Section twenty-six of *The Canadian and British Insurance Companies Act, 1932*, chapter forty-six of the statutes of 1932, as enacted by section four of chapter twenty-seven of the statutes of 1934, is repealed and the following substituted therefor:

“26. (1) This section extends and applies to every mutual company and to every company having a capital stock, whether called by the name of capital stock, guarantee fund, or any other name, notwithstanding anything to the contrary in any special Act relating to any such company or in any by-law thereof. Application.

(2) At any meeting at which holders of shares in the capital stock or guarantee fund, policyholders or members are entitled to vote, they may vote by proxy, if the proxy of the shareholder, policyholder or member is, respectively, a shareholder, policyholder or member and entitled to vote. Voting by proxy.

(3) An instrument of proxy shall not be valid at a meeting unless it is filed with the secretary of the company at least ten days before the date of the meeting and it may be revoked at any time. Validity of proxies.

(4) A life insurance company having participating policyholders who are entitled to vote at meetings of the company shall advise each such policyholder at least once in each year, by means of a statement printed in prominent type on a premium notice, premium receipt or dividend notice Life insurance companies to inform participating policyholders of rights.

or otherwise, of his rights to attend and to vote in person or by proxy at such meetings and that he may obtain a blank form of proxy on request therefor in writing to the secretary of the company."

2. Section eighty of the said Act, as renumbered by section twenty-one of chapter twenty-seven of the statutes of 1934, is repealed and the following substituted therefor:

Distribution
of part of
profits as
dividends
or bonuses

"80. (1) The directors of a company that has a capital stock may, from time to time, set apart such portion of the net profits as they deem safe and proper for distribution as dividends or bonuses to shareholders and holders of participating policies, ascertaining the part thereof that has been derived from participating policies and distinguishing such part from the profits derived from other sources.

Amount of
share of
participating
policyholders.

(2) Notwithstanding anything to the contrary in any special Act or elsewhere, the holders of participating policies shall be entitled to share in that portion of the profits set apart that has been distinguished as having been derived from participating policies (including a share of the profits arising from the sale of securities in the proportion of the mean participating fund to the mean total funds) to the extent of,

- (a) at least ninety per centum thereof in any year in which the mean participating fund does not exceed two hundred and fifty million dollars;
- (b) at least ninety-two and one-half per centum thereof in any year in which the mean participating fund exceeds two hundred and fifty million dollars but does not exceed five hundred million dollars;
- (c) at least ninety-five per centum thereof in any year in which the mean participating fund exceeds five hundred million dollars but does not exceed one thousand million dollars; and
- (d) at least ninety-seven and one-half per centum thereof in any year in which the mean participating fund exceeds one thousand million dollars.

Interest on
unimpaired
paid-up
capital
stock

(3) Before fixing or arriving at the amount of divisible profits, interest on the amount of the unimpaired paid-up capital stock, but not including any premiums or bonuses paid thereon or in respect thereof which have been expended in the establishment, prosecution or extension of the company's business or applied to making good any impairment of capital, and on any other sum or sums from time to time standing at the credit of the shareholders may be allowed or credited to such shareholders at the average net rate of interest earned in the preceding year or other period under consideration upon the mean total funds of the company; such shareholders to be, however, charged

with a fair proportion of all losses incurred upon investments or other losses of a similar character in the proportion of the mean shareholders' fund to the mean total funds.

(4) This section shall not interfere with the right of the participating policyholders of any such company to share in the profits realized from the non-participating branch of its business in any case in which such policyholders are so entitled under the Acts relating to such company in force on the fourth day of May, one thousand nine hundred and ten."

Right of
certain
participating
policyholders.

3. Subsection four of section twenty-six of the said Act, as enacted by section one of this Act, shall come into force on the first day of January, nineteen hundred and fifty-two.

Coming into
force.

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Law Printer to the King's Most Excellent Majesty.

(C4)

15 GEORGE VI.

CHAP. 12.

An Act to amend The Canadian Citizenship Act.

[Assented to 31st May, 1951.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1946, c. 15;
1949(1st
Sess.), c. 6;
1950, cc. 29, 50.

1. (1) Subsection one of section nineteen of *The Canadian Citizenship Act*, chapter fifteen of the statutes of 1946, as enacted by section eight of chapter twenty-nine of the statutes of 1950, is amended by deleting the word "or" at the end of paragraph (c) thereof.

(2) Paragraph (d) of subsection one of section nineteen of the said Act is repealed and the following substituted therefor:

"(d) has, since becoming a Canadian citizen or being naturalized in Canada, been for a period of not less than two years ordinarily resident in a foreign country of which he was a national or citizen at any time prior to his becoming a Canadian citizen or being naturalized in Canada and has not maintained substantial connection with Canada;

Loss of
Canadian
citizenship.

(e) if out of Canada, has shown himself by act or speech to be disaffected or disloyal to His Majesty; or

(f) if in Canada, has, by a court of competent jurisdiction, been convicted of any offence involving disaffection or disloyalty to His Majesty."

(3) Subsection two of section nineteen of the said Act is repealed and the following substituted therefor:

"(2) The Governor in Council may, in his discretion, order that any person shall cease to be a Canadian citizen if, upon a report from the Minister, he is satisfied that such person has, when not under a disability,

Governor
in Council
may revoke.

(a) when in Canada and at any time after the first day of January, nineteen hundred and forty-seven, acquired the nationality or citizenship of a foreign

Foreign
nationality
acquired in
Canada.

Foreign
allegiance.

Renunciation.

country by any voluntary and formal act other than marriage;
(b) taken or made an oath, affirmation or other declaration of allegiance to a foreign country; or
(c) made a declaration renouncing his Canadian citizenship."

OTTAWA: Printed by EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
Law Printer to the King's Most Excellent Majesty.

15 GEORGE VI.

CHAP. 13.

An Act to amend The Canadian Commercial Corporation Act.

[Assented to 31st May, 1951.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1946, c. 40;
1947, c. 51;
1949 (1st
Sess.), c. 2
1950, c. 51.

1. Paragraph (e) of section two of *The Canadian Commercial Corporation Act*, chapter forty of the statutes of 1946, is repealed and the following substituted therefor:

“(e) “Minister” means the Minister of Defence Production; and” “Minister”.

2. Subsections two and four of section three of the said Act are repealed. Repeal.

3. Subsection one of section four of the said Act is amended by adding thereto the following paragraphs: Purpose of the Corporation.

“(c) to exercise on behalf and under the direction of the Minister any powers or functions vested in the Minister by any other Act that authorizes the Minister to employ the Corporation to exercise them; and

“(d) to exercise any other powers or functions conferred upon it by any other Act or for the exercise of which it may be employed under any other Act.”

4. (1) The portion of subsection one of section eight of the said Act that precedes paragraph (a) thereof is repealed and the following substituted therefor:

“8. (1) The Minister of Finance shall, on the request of the Minister, from time to time deposit to the credit of the Corporation in the Bank of Canada or in a chartered bank designated by the Minister.” Grants and advances to Corporation.

(2) Section eight of the said Act is further amended by adding thereto the following subsection:

Return of
excess
moneys.

“(7) The Minister of Finance shall, on the request of the Minister, from time to time deposit to the credit of the Corporation in the Bank of Canada or in a chartered bank designated by the Minister, out of the Consolidated Revenue Fund, all or any part of the moneys paid to the Receiver General of Canada under subsection six, if in the opinion of the Minister such moneys are again required for the purposes of this Act.”

Quorum.

5. Subsection three of section twelve of the said Act is repealed and the following substituted therefor:

“(3) Three members of the Board are a quorum.”

R.S., c. 24.

6. (1) Subsections one and two of section fourteen of the said Act are repealed and the following substituted therefor:

“14. (1) The *Civil Service Superannuation Act* applies to any officer or employee of the Corporation who is designated by the Governor in Council to be a civil servant for the purposes of the *Civil Service Superannuation Act*.

Contributor
under *Civil
Service
Superannua-
tion Act*.

(2) A person who immediately prior to his employment under this Act, was a contributor under the *Civil Service Superannuation Act*, shall, notwithstanding that he has not been designated under subsection one, continue while employed under this Act to be a contributor under the *Civil Service Superannuation Act*, and, for the purposes of the *Civil Service Superannuation Act*, his service under this Act shall be counted as service in the civil service and he, his widow, children or other dependents, if any, or his legal representatives, may be granted the respective allowances or gratuities provided by the *Civil Service Superannuation Act*.”

Repeal.

(2) Subsection five of section fourteen of the said Act is repealed.

Repeal.

7. Part II of the said Act is repealed.

15 GEORGE VI.

CHAP. 14.

An Act to amend The Consumer Credit (Temporary Provisions) Act.

[Assented to 31st May, 1951.]

HIS Majesty, by and with the advice and consent of ^{1950-51, c. 3.} the Senate and House of Commons of Canada, enacts as follows:

1. Paragraph (c) of section two of *The Consumer Credit (Temporary Provisions) Act*, chapter three of the statutes of 1950-51, is amended by repealing all the words before subparagraph (i) thereof and substituting therefor the following:

“(c) ‘conditional sale contract’ means any agreement other than a charge account, under the terms of which a buyer is to obtain possession of any goods without paying the price thereof in full at or before the time of delivery, whether or not the seller retains any property, interest or lien in respect of the goods, and includes”.

“Conditional sale contract.”

2. (1) Subsection one of section three of the said Act is amended by adding thereto, immediately after paragraph (c) thereof, the following paragraphs:

“(d) payment under a contract for the hire of consumer goods,

“(e) payment under a contract for work and labour where consumer goods are supplied by the person who contracts to furnish the work and labour,”

(2) Paragraph (b) of subsection two of section three of the said Act is repealed and the following substituted therefor:

“(b) requiring any person who

(i) sells goods at retail on credit,

(ii) engages in the business or makes a practice of lending money,

(iii) has an interest in a conditional sale contract, or
(iv) enters into any of the contracts mentioned in paragraphs (d) and (e) of subsection one, to keep such records and books and to furnish such information as the Governor in Council may prescribe."

3. The said Act is further amended by adding thereto, immediately after section three thereof, the following section:

Seizure of
goods, books,
etc.

"3A. Where any person who is authorized by the regulations to examine goods, books or records, as a result of his examination of any goods, books or records, reasonably believes that an offence has been committed against the regulations, he may seize and take away any of such goods, books or records and retain them until they are produced in any court proceedings, but if such proceedings are not instituted within thirty days after the goods, books or records were taken away, they shall be returned to the person from whom or the premises from which they were taken."

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Law Printer to the King's Most Excellent Majesty.

15 GEORGE VI.

CHAP. 15.

An Act to amend The Export and Import Permits Act.

[Assented to 31st May, 1951.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1947, c. 17;
1947-48, c. 16;
1949 (2nd
Sess.), c. 22;
1950 c. 50.

1. Sections three and four of *The Export and Import Permits Act*, chapter seventeen of the statutes of 1947, as amended by section one of chapter sixteen of the statutes of 1947-48 and section ten of chapter fifty of the statutes of 1950, are repealed and the following substituted therefor:

"3. (1) A list of goods to which section five of this Act shall apply may be established and amended by order of the Governor in Council; but no article, other than arms, munitions, war materials or supplies, shall be included in such list unless the Governor in Council is satisfied that, in order to ensure an adequate supply and distribution in Canada of such article or any component or material used in the production thereof or in order to implement an inter-governmental arrangement or commitment it is necessary to regulate or control the export of such article.

Establishment and publication of list of goods for export.

(2) The Governor in Council may by order establish and amend a list of countries to which section five of this Act shall apply.

List of countries.

"4. (1) A list of goods to which section six of this Act shall apply may be established and amended by order of the Governor in Council; but no article shall be included in such list unless

Establishment of list of goods for import control.

(a) the Governor in Council is satisfied that, by reason of the scarcity in world markets or governmental controls in the countries of origin or allocation by intergovernmental arrangement of such article, it is necessary to regulate or control the import of such article for the purposes of ensuring the best possible

supply and distribution of the article in accordance with the needs of Canada,

1944-45, c. 29.
1944-45, c. 42.
1939, c. 28.
1947, c. 10.

(b) the price of such article is supported under *The Agricultural Prices Support Act, 1944*, *The Fisheries Prices Support Act, 1944*, *The Agricultural Products Co-operative Marketing Act, 1939*, or is in effect supported under *The Agricultural Products Act*, or

(c) its production, supply, distribution or use is restricted or otherwise regulated under the authority of any Act of Parliament.

Establishment of list of countries for import control.

(2) The Governor in Council may by order establish and amend a list of countries to which section six of this Act shall apply."

2. Section six of the said Act is repealed and the following substituted therefor:

Import by permit only.

"6. No person shall import or attempt to import into Canada any goods included in a list established pursuant to subsection one of section four of this Act, or any goods from a country named in a list established pursuant to subsection two of that section, except under the authority of and in accordance with a permit issued under this Act."

3. Section eight of the said Act is repealed and the following substituted therefor:

Import permit issued by Minister.

"8. The Minister, or any person designated by the Minister, may issue to any person applying therefor a permit to import into Canada from such place and in such quantity and of such quality as may be specified in the permit, any of the goods included in a list established pursuant to subsection one of section four of this Act, or any goods from a country named in a list established pursuant to subsection two of that section, and may amend, suspend or cancel any such permit."

4. Section eleven of the said Act is repealed and the following substituted therefor:

R.S., c. 42

Customs officers' duties.

"11. All officers, as defined in the *Customs Act*, before permitting the export or import of any goods included in a list of goods established pursuant to section three or section four of this Act, or the export or import of any goods to or from any country named in a list of countries established pursuant to those sections, shall satisfy themselves that the exporter or the importer, as the case may be, has not violated or contravened any of the provisions of this Act and that all the requirements of this Act with reference to those goods have been complied with."

5. Section fourteen of the said Act, as enacted by chapter twenty-two of the statutes of 1949 (Second Session), is repealed and the following substituted therefor:

"14. This Act shall expire on the thirty-first day of *Expiration.* July, nineteen hundred and fifty-four."

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15 GEORGE VI.

CHAP. 16.

An Act to amend The Government Employees Compensation Act, 1947.

[Assented to 31st May, 1951.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1947, c. 18;
1949 (2nd
Sess.), c. 24;
1950, c. 50.

1. (1) Paragraphs (e) and (f) of subsection one of section two of *The Government Employees Compensation Act, 1947*, chapter eighteen of the statutes of 1947, are repealed and the following substituted therefor:

“(e) ‘Minister’ means the Minister of Labour; “Minister”.

“(f) ‘province’ includes the Yukon Territory and the Northwest Territories.” “province”.

(2) Subsection two of section two of the said Act is repealed and the following substituted therefor:

“(2) This Act does not apply to any person who is a member of any component of the Canadian Forces that is referred to in *The National Defence Act* as the regular forces, or of the Royal Canadian Mounted Police.”

Persons
excluded.
1950, c. 43.

2. Subsection four of section three of the said Act is repealed and the following substituted therefor:

“(4) In any province where the general administration expenses of maintaining such board, officers, authority or court are paid by the province or by contributions from employers, or by both, the Minister of Finance may out of any unappropriated moneys in the Consolidated Revenue Fund of Canada

General
adminis-
tration
expenses.

(a) pay such portion of such expenses as is fair and reasonable and is authorized by the Governor in Council, and

(b) make an accountable advance to any such board in respect of the expenses that may be paid by the Minister of Finance under paragraph (a).”

3. Sections five, six, seven and eight of the said Act are repealed and the following substituted therefor:

Yukon
Territory
and
Northwest
Territories.

"**5.** Where an employee ordinarily resident in the Yukon Territory or the Northwest Territories is caused personal injury or is killed by accident arising out of and in the course of his employment, or is disabled or his death is caused by an industrial disease due to the nature of his employment, while employed in the Yukon Territory or the Northwest Territories, such accident or industrial disease shall for the purposes of this Act be deemed to have occurred or been contracted in the province of Alberta.

Resident
of a
province
while
employed
in Yukon
Territory or
Northwest
Territories.

"**6.** Where an employee ordinarily resident in a province, other than the Yukon Territory or the Northwest Territories, is caused personal injury or is killed by accident arising out of and in the course of his employment, or is disabled or his death is caused by an industrial disease due to the nature of his employment, while employed in the Yukon Territory or the Northwest Territories, such accident or industrial disease shall for the purposes of this Act be deemed to have occurred or been contracted in the province in which the employee was ordinarily resident.

Person
employed
outside
Canada.

"**7.** Where an employee, other than a person engaged locally outside of Canada, is caused personal injury or is killed by accident arising out of and in the course of his employment, or is disabled or his death is caused by an industrial disease due to the nature of his employment, while employed outside of Canada, such accident or industrial disease shall for the purposes of this Act be deemed to have occurred or been contracted in the province in which the employee was ordinarily resident immediately prior to his entering upon such employment.

Disability or
death from
pulmonary
tuberculosis
contracted in
Government
operated
hospital or
sanatorium.

Employee a
nurse in the
field.

"**8.** The Governor in Council may make regulations prescribing conditions under which compensation shall be payable, the amount of compensation payable and the manner in which such compensation shall be determined, where an employee is disabled or his death caused by pulmonary tuberculosis due to the nature of his employment and contracted while employed in a hospital or sanatorium operated by the Government of Canada wherein tuberculosis patients are treated, or while employed as a nurse in the field and exposed to this disease, and such disease is not an industrial disease for which compensation is authorized in similar circumstances in the case of an employee other than of His Majesty under the law of the province in which such tuberculosis was contracted, and compensation shall be payable in accordance with such regulations."

15 GEORGE VI.

CHAP. 17.

An Act respecting The Hamilton Harbour Commissioners.

[Assented to 31st May, 1951.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. This Act may be cited as *The Hamilton Harbour Commissioners Act, 1951.* Short title.

2. The Hamilton Harbour Commissioners, hereinafter called "the Corporation", in addition to all other powers vested in them, may conduct, on the lands of the Corporation in the City of Hamilton and in the Township of Saltfleet, amusements, recreation grounds, playgrounds and public bathing beaches, or arrange with others to conduct the same, and may charge or receive compensation for the use of and admission to such grounds and beaches and enjoyment of such amusements, and may permit others to conduct and operate such amusements, recreation grounds, playgrounds and public bathing beaches, and to make charges therefor either wholly for themselves or partly for themselves and partly for the Corporation, or wholly for the Corporation, as the Corporation may think proper. Powers to conduct amusements, recreation grounds, etc., on their lands.

3. (1) The Corporation may expend money for erecting, building, developing and maintaining such amusements, recreation grounds, playgrounds and public bathing beaches and the purchase of buildings, equipment and apparatus therefor, borrow money for defraying the expenses thereof and make by-laws for the control and regulation of such amusements, grounds and beaches. Powers to spend, borrow and make by-laws.

(2) The provisions of *The Hamilton Harbour Commissioners' Act*, chapter ninety-eight of the statutes of 1912, relating to the jurisdiction of the Corporation and the exercise of powers thereby extend and apply, *mutatis mutandis*, to the powers granted to the Corporation under this Act. Provisions of c. 98 of 1912 to apply.

15 GEORGE VI.

CHAP. 18.

An Act respecting Kingsmere Park.

[Assented to 31st May, 1951.]

WHEREAS, pursuant to the Will of the late the Right Honourable William Lyon Mackenzie King, P.C., O.M., there has been vested in His Majesty in right of Canada certain property at Kingsmere in the Province of Quebec hereinafter referred to as "Kingsmere Park"; Preamble.

AND WHEREAS it is advisable to make provision for the administration of that property in accordance with the terms of the Will;

NOW, THEREFORE, His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. This Act may be cited as *The Kingsmere Park Act*. Short title.

2. (1) Subject to subsection two, the Federal District Commission shall administer Kingsmere Park in accordance with the desires and purposes expressed in the late Mr. King's Will (the relevant portion of which is set out in the Schedule to this Act). Federal District Commission to administer Kingsmere Park.

(2) The Minister of Public Works shall manage and control the buildings in Kingsmere Park and the yards, orchards and gardens appurtenant thereto in such manner as, in his opinion, will realize the desires and purposes expressed in the Will. Buildings, orchards, etc.

(3) The Governor in Council may authorize the lease or licence of any of the buildings in Kingsmere Park, with the yards, orchards and gardens appurtenant thereto, for the better conservation thereof or for the purpose of realizing the desires and purposes expressed in the Will. G. in C. may lease.

(4) The Minister of Public Works may, with the approval of the Governor in Council, demolish any building in Kingsmere Park if he considers it advisable for the purpose of realizing the desires and purposes expressed in the Will. Demolition of buildings.

G. in C.
may
describe
limits.

(5) The Governor in Council may describe the limits of Kingsmere Park for the purposes of this Act, and, in case of doubt, the Governor in Council may determine the limits of the yards, orchards and gardens appurtenant to the buildings in Kingsmere Park.

Country
home for
Prime
Minister.

3. (1) The Governor in Council may, by order, set aside any part of Kingsmere Park to be used, as suggested in the Will, as a country home for the holder of the office of Prime Minister of Canada and may revoke any order that has been so made.

(2) Where any part of Kingsmere Park has been set aside by order made under subsection one, the property so set aside shall, until the order is revoked, be deemed to be included in the properties described in the Schedule to *The Prime Minister's Residence Act*.

1950, c. 48.

G. in C.
may give
directions.

4. Notwithstanding any other provision in this Act, the Minister of Public Works and the Federal District Commission shall comply with any general or special direction of the Governor in Council as to the manner in which Kingsmere Park shall be administered or as to the manner in which the desires or purposes expressed in the Will shall be realized.

SCHEDULE.

Portions of Mr. King's Will.

"24. The cherished objective of being able to present my Kingsmere properties as a thank-offering for what has come to me in the way of opportunities of public service, I believe I have been able to realize, and I hereby bequeath to the Government of Canada as a public park in trust for the citizens of Canada, subject to certain reservations hereinafter referred to, my several properties at Kingsmere, in the Province of Quebec, amounting in all to nearly Five Hundred (500) acres, and the houses and other buildings erected thereon. The precise boundaries are set forth in the several deeds attached hereto.

25. In making this bequest, I express the wish that the lands at Kingsmere may be maintained as nearly as possible in their present state; that they will be developed as park-land, and that they will form a wild life sanctuary and will continue to have the character of a natural forest reserve.

26. Believing that my successors in the office of Prime Minister may find, as I have found, a renewal of strength in this quiet place, as well as exceptional opportunities for conference on national and international affairs, I hope

that the Government of Canada will consider the possibility of setting aside a part of the Kingsmere property as a country home for the holder of the office of Prime Minister of Canada.

27. Inasmuch as relatives and friends of mine have spent their summers, or part of them, at Kingsmere as my guests or tenants, I hope they may continue to enjoy the summer homes to which they have become accustomed; and that other appropriate use may be made of them. I would therefore ask that the Government should authorize my Trustees to provide that, for a period of three years after my death, the cottages and such of their contents as are mine and are not otherwise disposed of in accordance with this my Will shall be available, rent-free, for use by my sister and the members of her family, by the members of my late brother's family, and by such other persons as may be designated by my Trustees.

28. My Trustees are hereby authorized to dispose of all my possessions in the cottages and other buildings or on the property as they believe will be most in accord with my own wishes; and to meet such expenses as may be necessarily incurred for the maintenance of these cottages for a period of three years."

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Law Printer to the King's Most Excellent Majesty.

15 GEORGE VI.

CHAP. 19.

An Act respecting Laurier House.

[Assented to 31st May, 1951.]

WHEREAS, pursuant to the Will of the late the Right Honourable William Lyon Mackenzie King, P.C., O.M., there has been vested in His Majesty in right of Canada certain property in the City of Ottawa known as Laurier House and the contents thereof;

AND WHEREAS the late Mr. King, by his Will, gave the sum of two hundred and twenty-five thousand dollars to the Government of Canada to be used for certain specified purposes;

AND WHEREAS it is advisable to make provision for the administration of that property and money in accordance with the terms of the Will;

NOW THEREFORE, His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. This Act may be cited as *The Laurier House Act*.

Short title.

2. (1) The Dominion Archivist, subject to subsection two, has the care, custody and control of Laurier House (more particularly described in the First Schedule) and the contents thereof and shall administer the house and its contents in accordance with the desires and purposes expressed in the late Mr. King's Will (the relevant portion of which is set out in the Second Schedule).

Dominion Archivist to control Laurier House

(2) The Minister of Public Works shall maintain, heat and keep in repair the buildings on the Laurier House property and the Federal District Commission shall maintain the grounds thereof.

Heating and repair.

(3) An officer to be known as the Curator of Laurier House, and to be responsible, under the Dominion Archivist, for the administration of Laurier House, may be appointed in accordance with the provisions of the *Civil Service Act*

Curator of Laurier House.

after the termination of the employment of the first such officer who shall be appointed and whose salary shall be fixed by the Governor in Council.

C.R.F.

3. (1) The sum of two hundred and twenty-five thousand dollars given by the Will to the Government of Canada shall be deposited to the credit of the Receiver General of Canada and shall form part of the Consolidated Revenue Fund.

Trust
Account.

(2) There shall be set up in the Consolidated Revenue Fund an account to be known as the Mackenzie King Trust Account to which there shall be credited the sum of two hundred and twenty-five thousand dollars.

Interest.

(3) Interest on the sum of two hundred and twenty-five thousand dollars shall be credited to the Mackenzie King Trust Account at the end of each fiscal year

(a) in the case of the fiscal year during which the said sum was deposited to the credit of the Receiver General of Canada, for the period in the year after the day on which the deposit was made, and

(b) in the case of each subsequent fiscal year, for the whole year,

computed at a rate that, in the opinion of the Minister of Finance, is equal to the average rate at which interest is payable on long term Government of Canada bonds for that year.

Expenditures.

(4) Subject to the approval of the Governor in Council, the Dominion Archivist may, at any time, expend out of the Consolidated Revenue Fund, for the purpose of carrying out the desires and purposes expressed in the Will, an amount not exceeding the aggregate of the amounts theretofore credited to the Mackenzie King Trust Account as interest less the aggregate of all amounts theretofore expended under this subsection, and any amount so expended shall be debited to the Account.

Historic
Sites and
Monuments
Board.

4. The Dominion Archivist may consult the Historic Sites and Monuments Board with reference to the performance of his duties under this Act.

G. in C.
may give
directions.

5. Notwithstanding any other provision in this Act, the Minister of Public Works, the Federal District Commission and the Dominion Archivist shall comply with any general or special direction of the Governor in Council as to the manner in which Laurier House shall be administered or as to the manner in which the desires or purposes expressed in the Will shall be realized.

FIRST SCHEDULE.

Description of Laurier House.

"All and Singular that certain parcel or tract of land and premises situate, lying and being in the City of Ottawa, in the County of Carleton, and Province of Ontario, being composed of Lot number Thirty-one (31) and the west half of Lot number Thirty-two (32) on the north side of Theodore Street, now called Laurier Avenue, in the City of Ottawa, as shown on a plan made by James D. Slater, P.L.S. for Louis P. Besserer, and registered in the Registry Office for the City of Ottawa on the 17th day of June, 1859."

SECOND SCHEDULE.

Portions of Mr. King's Will.

"13. For many years it has been my intention to bequeath Laurier House to the Government and people of Canada, in the belief that as the years pass, the citizens of Canada will take an increasing interest and pride in the preservation of a house occupied through many years by two of Canada's Prime Ministers and reminiscent of an environment that was a part of their daily lives.

14. It has been my hope that such a bequest might serve also to remind my fellow Canadians of the close association I enjoyed with Sir Wilfrid and Lady Laurier, and what I owed to their personal friendship; also to emphasize the unity of heart and mind among the Canadian people which Sir Wilfrid and I, throughout our years of office, sought to preserve in the administration of Canada's national affairs.

15. The maintenance of the residence as a place of historic interest and contemporary record of days that are gone would also serve the interests of the Canadian people in other ways. The residence might appropriately, I think, be given an immediate association with the Public Archives of Canada. Responsibility for its continued preservation, supervision and use might be placed upon the Dominion Archivist. Accommodation for scholars engaged on work of research in Ottawa is, at present, most inadequate both at the Archives and at the Library of Parliament. In the years of my occupancy of Laurier House, I have done most of my work in the library and adjoining rooms on the top floor. I should particularly welcome the continued use of this portion of the house for purposes of study and research. A direct association with the Archives would not only serve

to emphasize the historic significance of the residence, but would help to ensure the interior being maintained much as it is, and would lead naturally to a more appropriate display of important documents and other objects of special interest. I should hope that the dining room and its furnishings, paintings, etc., would be retained much as they are.

16. I therefore give, devise and bequeath to the Government of Canada in trust for the people of Canada the house situated at 335 Laurier Avenue East in the City of Ottawa, and all the contents of the said house except such papers, books, furnishings and other things for the disposal of which I have made provision otherwise in this my Will.

17. I also give, devise and bequeath to the Government of Canada in trust for the people of Canada the sum of Two Hundred and Twenty-Five Thousand Dollars (\$225,000), the interest thereon to be used to assist in the maintenance and care of the said house. The said sum of Two Hundred and Twenty-Five Thousand Dollars (\$225,000), represents monies which the Honourable Peter C. Larkin and other friends contributed, after the reconstruction and refurnishing of the residence was completed, to assist me in its upkeep throughout my life, and in meeting, to the end of my life, other personal and public needs, especially such needs as would arise in years of retirement."

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Law Printer to the King's Most Excellent Majesty

15 GEORGE VI.

CHAP. 20.

An Act to amend the Migratory Birds Convention Act.

[Assented to 31st May, 1951.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

R.S., c. 130;
1932-33, c. 16;
1950, c. 50.

1. (1) Subsection two of section five of the *Migratory Birds Convention Act*, chapter one hundred and thirty of the Revised Statutes of Canada, 1927, is repealed.

Repeal.

(2) Subsections three and four of the said section five are renumbered as subsections two and three, respectively.

Renumbering.

(3) Subsections five and six of the said section five are repealed and the following substituted therefor:—

Game and fishery officers of a province may be declared Game Officers *ex officio*.

“(4) The Governor in Council may declare that the game and fishery officers of any province shall be game officers *ex officio* under this Act, but subsection two of section twelve shall not apply to such officers.”

2. Section seven of the said Act is repealed and the following substituted therefor:—

“7. Any game officer who believes on reasonable grounds

Seizure and forfeiture by game officer.

(a) that any of the following articles, namely, any gun or other weapon, ammunition, boat, skiff, canoe, punt, or vessel of any description, team, wagon, or other outfit, motor vehicle or aircraft of any kind, decoy, appliance or material of any kind is being or has been used in violation of or for the purpose of any violation of this Act or any regulation; or

(b) that, in violation of this Act or any regulation any of the following articles, namely, any bird, nest or egg, has been taken, caught or killed, or is had in possession; may seize the article, and shall deliver it to a justice of the peace; and the justice of the peace to whom the article is delivered, if he finds that the article was used in violation of or for the purpose of any violation of this Act or any

regulation, or was taken, caught, killed or had in possession in violation of this Act or any regulation, may make an order forfeiting the article to His Majesty."

Coming into
force.

3. This Act shall come into force on a day to be fixed by proclamation of the Governor in Council.

OTTAWA: Printed by EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
Law Printer to the King's Most Excellent Majesty.

15 GEORGE VI.

CHAP. 21.

An Act to amend the Northwest Territories Act.

[Assented to 31st May, 1951.]

R.S., c. 142;
1938, c. 38;
1940, c. 46;
1947-48,
c. 20.

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. (1) Paragraph (*d*) of section two of the *Northwest Territories Act*, chapter one hundred and forty-two of the Revised Statutes of Canada, 1927, is repealed and the following substituted therefor:

“(d) ‘Council’ means the Council of the Northwest Territories;”

(2) Paragraph (*h*) of section two of the said Act is repealed and the following substituted therefor:

“(h) ‘Minister’ means the Minister of Resources and Development;”

(3) Paragraph (*k*) of section two of the said Act is repealed and the following substituted therefor:

“(k) ‘Territories’ means the Northwest Territories, which comprise

“Territories”.

(i) all that part of Canada north of the Sixtieth Parallel of North Latitude, except the portions thereof within the Yukon Territory and the Provinces of Quebec and Newfoundland, and

(ii) the islands in Hudson Bay, James Bay and Ungava Bay, except those islands within the Provinces of Manitoba, Ontario and Quebec.”

2. Subsection two of section four of the said Act is repealed and the following substituted therefor:

“(2) The Commissioner shall administer the government of the Territories under instructions from time to time given by the Governor in Council or the Minister.”

Instructions.

3. Section eight of the said Act is repealed and the following substituted therefor:

Council.

“**S.** (1) There shall be a Council of the Northwest Territories consisting of eight members, three of whom shall be elected to represent electoral districts, and five of whom shall be appointed by the Governor in Council.

Electoral districts.

(2) The Commissioner in Council may for the purposes of this section establish three electoral districts.

Tenure of appointed members.

(3) Appointed members of the Council shall hold office during pleasure.

Tenure of elected members.

(4) Subject to subsections five and six, elected members of the Council shall hold office for three years from the date of the return of the writs after their election.

Removal of elected member for incapacity, etc.

(5) Where, in the opinion of the Governor in Council, an elected member is unable to perform his duties by reason of incapacity or absence, the Governor in Council may remove him from office and may appoint a member in his stead for the balance of his term of office.

Death of elected member.

(6) Where an elected member dies while in office, the Governor in Council may appoint a member in his stead for the balance of his term of office.

Commissioner in Council may prescribe qualifications of electors.

“**SA.** (1) Subject to subsection two, the Commissioner in Council may prescribe the qualifications of those entitled to vote at an election of members to the Council.

Minimum qualifications.

(2) A person is not entitled to vote at an election unless he is a Canadian citizen, has attained the age of twenty-one years and has been ordinarily resident in the Territories for a period of at least twelve months immediately prior to the date of the election.

Eligibility of candidate.

(3) A person who is entitled to vote at an election is eligible for election as a member of the Council.

Oaths of Office.

“**SB.** Each member of the Council shall, before entering the duties of his office, take and subscribe before the Commissioner such oaths of allegiance and office as the Governor in Council may prescribe.

Sessions of Council.

“**Sc.** (1) The Commissioner shall convene at least two sessions of the Council in every calendar year so that twelve months shall not intervene between the last sitting of the Council in one session and its first sitting in the next session.

Where sessions held.

(2) In each year one of the sessions of the Council convened in that year shall be held at a place in the Territories designated by the Governor in Council and all other sessions of the Council convened in that year shall be held at the seat of government of the Territories.

Quorum.

(3) Four members of the Council constitute a quorum.

Voting.

(4) Each member has one vote in the transaction of the business of the Council and, if the number of votes is equal, the Commissioner may cast a deciding vote.

(5) The Governor in Council may appoint a member of the Council to be Deputy Commissioner of the Territories. Deputy Commissioner.

(6) The Deputy Commissioner has and may perform and exercise, in the absence of the Commissioner, all the powers and functions conferred on the Commissioner by this Act. Powers of Deputy Commissioner.

"8D. (1) Each elected member of the Council may be paid an amount not exceeding fifty dollars for each day he is in attendance at a session of the Council, but the total amount payable under this subsection to a member in any one calendar year shall not exceed one thousand dollars. Sessional indemnity to elected members.

(2) In addition to the payments under subsection one, each member of the Council, whether elected or appointed, may be paid, Expenses of councillors.

(a) the actual travelling expenses incurred by him in travelling from his place of residence to the place where the Council holds its session and return, but no payment shall be made to a member in respect of more than one return trip for each session of the Council, and

(b) an allowance for living expenses, not exceeding fifteen dollars for each day in which the Council is in session, but the amount that is paid to a member of the Council pursuant to this paragraph shall not exceed two hundred dollars in respect of any one session.

(3) An allowance for living expenses that is paid to a member of the Council under paragraph (b) of subsection two is not income for that member for the purposes of *The Income Tax Act*. Living expense allowance not subject to income tax. 1947-48, c. 52.

4. Section thirty-four of the said Act is amended by adding thereto the following subsection:

"(3) The Governor in Council may appoint such officers for the due administration of justice in the Territories as are deemed necessary and may define and specify their duties and fix their remuneration." Appointment of other officers

5. Section three of this Act shall come into force on a day to be fixed by proclamation of the Governor in Council. Coming into force.

15 GEORGE VI.

CHAP. 22.

An Act to amend The Radio Act, 1938.

[Assented to 31st May, 1951.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1938, c. 50;
1950, c. 50.

1. Subsection one of section two of *The Radio Act, 1938*, chapter fifty of the statutes of 1938, is amended by adding thereto the following paragraph:—

“(1) ‘telecommunication’ means any transmission, emission or reception of signs, signals, writing, images or sounds or intelligence of any nature by wire, radio, visual or other electromagnetic system.”

“telecommunication”.

2. Paragraph (c) of subsection one of section three of the said Act is repealed and the following substituted therefor:—

“(c) accede to any international convention in connection with telecommunication, and make such regulations as may be necessary to carry out and make effective the terms of such convention and prescribe penalties recoverable on summary conviction for the violation of such regulations: Provided that such penalties shall not exceed five hundred dollars and costs;”

Proviso.

3. Section five of the said Act is repealed and the following substituted therefor:—

“5. (1) No person shall establish a radio station or private receiving station, or install, operate or have in his possession a radio apparatus at any place in Canada or on any aircraft registered in Canada, except under and in accordance with a licence granted by the Minister in that behalf.

Licences required.

Exemptions
by Governor
in Council.

(2) The Governor in Council may, by regulation and on such terms and conditions as he may prescribe, exempt from the operation of this section

Tourist
vehicles.

(a) a radio receiving set installed in an automobile or other vehicle temporarily in Canada and that is owned by a *bona fide* tourist who resides out of Canada; and

Reciprocal
exemptions.

(b) a radio station temporarily in Canada that is
(i) duly licensed by the country in which the owner of the station resides, and
(ii) owned by a person who is a resident and citizen of a country that grants a reciprocal exemption to residents of Canada."

4. Section seven of the said Act is amended by adding thereto the following subsection:—

Exemption
for certain
non-
residents.

"(4) The Governor in Council may, by regulation and on such terms and conditions as he may prescribe, exempt from the operation of this section a non-resident of Canada who

(a) is employed as a radio operator on a radio station in Canada,

(b) holds a valid Canadian certificate of proficiency or an equivalent certificate issued by the country of which he is a citizen, and

(c) is a resident and citizen of a country that grants a reciprocal permission to Canadian citizens to be employed as radio operators in that country."

OTTAWA: Printed by EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
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15 GEORGE VI.

CHAP. 23.

An Act to amend the Yukon Act.

[Assented to 31st May, 1951.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

R.S., c. 215;
1929, cc. 44, 62;
1940, c. 45;
1940-41, c. 30;
1947-48, c. 75.

1. Subsection one of section nine of the *Yukon Act*, chapter two hundred and fifteen of the Revised Statutes of Canada, 1927, is repealed and the following substituted therefor:—

“9. (1) There shall be a Council of the Yukon Territory, which shall be composed of five members elected to represent the electoral districts to be named and described by the Commissioner in Council.”

“Elective Council”.

2. Section one hundred and twenty-nine of the said Act, as enacted by chapter seventy-five of the statutes of 1947-48, is repealed and the following substituted therefor:

“129. No intoxicating liquor or other intoxicant shall be manufactured, compounded, or made in the Territory, except by permission of the Commissioner in Council; and no intoxicating liquor or other intoxicant shall be imported or brought into the Territory from any province or territory in Canada or elsewhere, except by permission of the Commissioner.”

“Manufacture or importation of intoxicants”.

3. Section one of this Act shall come into force on a day to be fixed by proclamation of the Governor in Council.

Coming into force.

15 GEORGE VI.

CHAP. 24.

An Act to amend The Central Mortgage and Housing Corporation Act.

[Assented to 20th June, 1951.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1945 (2nd Sess.), c. 15;
1950, c. 51.

1. Paragraph (g) of section two of *The Central Mortgage and Housing Corporation Act*, chapter fifteen of the statutes of 1945 (Second Session), is repealed and the following substituted therefor:

“(g) “Minister” means the Minister of Resources and Development;”

2. Section five of the said Act is amended by adding thereto the following subsection:

“(5) The Corporation shall comply with any directions from time to time given to it by the Governor in Council or the Minister respecting the exercise or performance of its powers, duties and functions.”

Corporation to comply with directions of G. in C. or Minister.

3. Section six of the said Act is repealed and the following substituted therefor:

“**6.** (1) The Board of Directors shall consist of a President and Vice-President appointed in accordance with this Act, and eight other members, three of whom shall be selected from the public service of Canada and five of whom shall be selected from outside the public service of Canada.

Board of Directors.

(2) The three directors selected from the public service of Canada shall be appointed by the Governor in Council and shall hold office during pleasure, and the five directors selected from outside the public service of Canada shall be appointed and shall hold office as provided in section eight.

Appointment of directors.

Substitute
directors.

(3) Where a director is a member of the public service of Canada, the Governor in Council may authorize another member of the public service of Canada to act as director in his stead and the member while so acting shall be deemed to be a director."

4. Paragraph (b) of subsection one of section nine of the said Act is repealed and the following substituted therefor:

"(b) is not a Canadian citizen or otherwise a British subject ordinarily resident in Canada;"

5. Section ten of the said Act is repealed and the following substituted therefor:

Executive
Committee.

"10. There shall be an Executive Committee of the Board consisting of the President, the Vice-President and two other directors selected by the Board."

6. Section twenty-four of the said Act is repealed and the following substituted therefor:

Corporation
liable to
repay
advances.

"24. The Corporation shall be liable to repay advances made to it by the Minister under section twenty-three of this Act out of moneys received by it under this Act in such manner that the total amount of the said advances owing by it shall not, at any time, exceed the aggregate of
(a) the total amount payable to the Corporation under or pursuant to section twenty-two of this Act, and
(b) the total investment of the Corporation in real or immovable property acquired by the Corporation pursuant to a loan under *The Dominion Housing Act, 1935*, *The National Housing Act, 1938*, or *The National Housing Act, 1944*, or deemed by subsection three of section thirty-four of *The National Housing Act, 1944*, to be vested in the Corporation."

15 GEORGE VI.

CHAP. 25.

An Act to amend the Criminal Code. (Race Meetings.)

[Assented to 20th June, 1951.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. Subsections two, two a, two b and three of section two hundred and thirty-five of the *Criminal Code*, chapter thirty-six of the Revised Statutes of Canada, 1927, are repealed and the following substituted therefor:

“(2) The provisions of subsection one of this section, section two hundred and twenty-seven and subsections one and two of section two hundred and twenty-nine, do not extend to

(a) any person or association by reason of his or their becoming the custodian or depository of any money, property or valuable thing staked, to be paid to

(i) the winner of any lawful race, sport, game or exercise,

(ii) the owner of any horse engaged in any lawful race, or

(iii) the winner of any bets between not more than ten individuals;

(b) a private bet between individuals not engaged in any way in a business of betting;

(c) bets made or records of bets made through the agency of a pari-mutuel system only as hereinafter provided, upon the race course of any association

(i) incorporated before the nineteenth day of May, nineteen hundred and forty-seven, if

(A) such association has conducted a race meeting with pari-mutuel betting under the supervision of an officer appointed by the Minister of Agriculture at any time after the first day of January, nineteen hundred and thirty-eight, but before the nineteenth day of May, nineteen hundred and forty-seven, or

R.S., c. 36,
1930, c. 11;
1931, c. 28;
1932, cc. 7,
8, 9, 28;
1932-33,
cc. 25, 53;
1934, cc. 11,
47;
1935, cc. 36,
56;
1936, c. 29;
1938, c. 44;
1939, c. 30;
1943-44, c. 23;
1944-45, c. 35;
1946, cc. 5, 20;
1947, cc. 31,
55;
1947-48, cc. 39,
40;
1949 (2nd.
Sess.), cc. 2,
13;
1950, cc. 11,
12.

Exceptions.

- (B) the Minister of Agriculture has, before the nineteenth day of May, nineteen hundred and forty-seven, made a determination under this section that the provisions of subsection one of this section, section two hundred and twenty-seven and subsections one and two of section two hundred and twenty-nine shall not extend to the operation of a pari-mutuel system with respect to running races at a race meeting conducted by such association on a race course of another association, or
- (ii) incorporated on or after the nineteenth day of May, nineteen hundred and forty-seven, by special Act of the Parliament of Canada or of the legislature of any province of Canada, during the actual progress of a race meeting conducted by such association upon races being run thereon and if, as to race meetings at which there are running races, the following provisions are complied with, namely,
- (iii) no such race meeting shall continue for more than fourteen consecutive days on days on which such racing may be lawfully carried on and there shall be not more than eight such races on any of such days, and
- (iv) no such association shall hold, and on any one track there shall not be held, except as hereinafter provided, in any one calendar year more than one race meeting at which there are running races of more than seven and not exceeding fourteen such days or two such race meetings having an interval of at least twenty days between them of not more than seven such days each;
- (d) race meetings at which there are trotting or pacing races exclusively where pool-selling, betting or wagering is permitted by an association incorporated in any manner before the twentieth day of March, nineteen hundred and twelve, or incorporated after that day by special Act of the Parliament of Canada, or of the legislature of a province of Canada, on a race course during the actual progress of the race meetings conducted by the association, if the following provisions are complied with, namely,
- (i) such race meetings shall not in any one calendar year be conducted for more than fourteen days or fourteen nights or a total of fourteen days and nights on which racing may be lawfully carried on,
- (i) no more than eight races or dashes, or four heat races of three heats each, shall be held during any twenty-four hour period, and

(iii) any pari-mutuel system of betting used upon such race course shall be used as hereinafter provided; or

(e) the operation of a pari-mutuel system with respect to running races at a race meeting conducted by an association on a race course of another association, if

(i) such provisions do not extend to the operation of a pari-mutuel system with respect to running races on the race courses of both such associations,

(ii) both race courses are in the same province, and

(iii) the Minister of Agriculture so determines in a particular case.

(3) No pari-mutuel system of betting shall be used upon any race course unless the system has been approved by and its operation is carried on under the supervision, at the expense of the association, of an officer appointed by the Minister of Agriculture, whose duty it shall be to stop the betting before each race and to see that no further amounts are deposited. Operation of
pari-mutuel
system.

(4) Where any person or association becomes a custodian or depository of any money, bet or stakes under a pari-mutuel system during the actual progress of a race meeting conducted by and on the race course of an association in accordance with this section, upon races being run thereon, the percentage deducted and retained by the person or association in respect of each race from the total amount of money so deposited, or of which the person or association becomes the custodian, shall not exceed the following: Idem.

(a) Where the total amount staked or deposited on each race is \$20,000 or under 9 per cent.

(b) Over \$20,000 but not over \$30,000, 9 per cent. on \$20,000 and on the excess 8 per cent.

(c) Over \$30,000 but not over \$40,000, 9 per cent. on the first \$20,000, 8 per cent. on the next \$10,000, and on the excess 7 per cent.

(d) Over \$40,000 but not over \$50,000, 9 per cent. on the first \$20,000, 8 per cent. on the next \$10,000, 7 per cent. on the next \$10,000 and on the excess 6 per cent.

(e) Over \$50,000, 9 per cent. on the first \$20,000, 8 per cent. on the next \$10,000, 7 per cent. on the next \$10,000, 6 per cent. on the next \$10,000 and on the excess 5 per cent.

and in addition to such percentages, the person or association is also entitled to retain the odd cents over any multiple of five cents, and the odd cents may be eliminated from the amount to be paid to any bettor.

(5) The Minister of Agriculture, if he is not satisfied that a proper proportion of gate receipts and percentages taken from the pari-mutuel pools is being given in purses to horses Purses.

taking part in the race meeting or that the provisions of this section are being carried out in good faith by the association conducting the race meeting, may at any time order the betting to be stopped for such time as he may think fit.

Regulations.

(6) The Minister of Agriculture may make regulations with respect to the carrying out of the provisions of paragraphs (c), (d) and (e) of subsection two, and subsections three and four of this section, and may, by the regulations, impose such penalties, not exceeding in any one case five hundred dollars for any violation of any such regulations, as he deems necessary for ensuring the observance of the regulations."

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15 GEORGE VI.

CHAP. 26.

An Act to amend the Customs Act.

[Assented to 20th June, 1951.]

R.S., c. 42;
1928, c. 16;
1930 (2nd
Sess.), c. 2;
1931, cc. 29,
55;
1932-33, cc. 7
38;
1934, c. 48;
1936, cc. 19,
30;
1937, c. 24;
1947, c. 4;
1947-48, c. 41;
1949 (1st
Sess.), c. 6;
1949 (2nd
Sess.), c. 14;
1950, cc. 30,
50.

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Section two of the *Customs Act*, chapter forty-two of the Revised Statutes of Canada, 1927, is amended by adding thereto, immediately after subsection three thereof, the following subsection:

“(4) All the provisions of this Act that relate to
(a) the reporting inwards and outwards of vessels, vehicles or persons, or

Government
vessels to
report.

(b) the reporting to a collector of Customs of goods imported or of goods acquired after importation by any person, including goods derelict, flotsam, jetsam or wreck,

are binding upon His Majesty in right of Canada or a province.”

2. Section twenty-two of the said Act is amended by adding thereto the following subsection:

“(2) Notwithstanding subsection one, goods of which the export or import is prohibited, controlled or regulated by or under any Act of Parliament, may be detained by the collector and shall be dealt with as provided by any law in that behalf.”

Detention.

3. Section one hundred and fifteen of the said Act is repealed and the following substituted therefor:

“115. (1) Where goods have been imported free of duty or at a rate of duty lower than that to which they would otherwise be liable, either

Goods
otherwise
exempt,
dutiable
in certain
cases.

(i) as being for the use of a person who is by law entitled to import goods for his own use free or at a reduced rate of duty, or

(ii) as being intended for a specific use,

and such goods are sold or otherwise disposed of to a person not entitled to any exemption, or are diverted to a use other than that for which they were imported, they become liable to and are charged with the duties or the additional duties payable upon like goods on their importation, and if such duties or additional duties are not paid, such goods are liable to forfeiture and may be seized and dealt with accordingly.

Report to collector.

(2) A person who purchases or otherwise acquires any goods coming within paragraph (i) of subsection one and is not entitled to any exemption, and a person who diverts any goods coming within paragraph (ii) of subsection one to a use other than that for which they were imported, shall report to the nearest collector and pay the duties or the additional duties exigible."

4. (1) Section one hundred and twenty-five of the said Act is repealed and the following substituted therefor:

When overpaid duties returnable.

"125. (1) Where it is established by a decision of the Deputy Minister, an order or finding of the Tariff Board, or a judgment of a court of competent jurisdiction that money, taken to account as duty, was paid under an erroneous construction of the law, no refund shall be made unless a written application therefor is made within twelve months of the date of payment, and subject to sections one hundred and twenty-four and one hundred and twenty-six in every other case of overpayment of duty or payment of duty in error, no refund shall be made unless an application therefor is made within two years of the date of payment.

Application.

(2) A written request for the review of a tariff classification, an appeal to the Tariff Board or the institution of legal proceedings for the recovery of an overpayment of duty or a payment of duty in error shall be deemed to be a written application for the purposes of subsection one.

Prior applications.

(3) Nothing in subsection one or two shall affect or prejudice any refund pursuant to an application pending at the coming into force of this section."

5. Section one hundred and twenty-nine of the said Act is amended by adding thereto, immediately after subsection five thereof, the following subsection:

Penalty for practising without a licence.

"(6) Every person who, without a licence granted in accordance with subsection one, transacts or attempts to transact business as a Custom-house broker, or holds himself out as a Custom-house broker, is guilty of an offence and is liable, on summary conviction, to a fine not exceeding two hundred dollars and not less than fifty dollars, or to imprisonment for a term not exceeding three months and not less than one month."

6. Section one hundred and thirty-four A of the said Act, as enacted by section two of chapter fourteen of the statutes of 1949 (Second Session), is repealed and the following substituted therefor:

"134A. (1) Any person designated by the Minister may conduct any inquiry or investigation in matters relating to the Customs, and any person so authorized has all the powers and authority of a commissioner appointed under Part I of the *Inquiries Act*. Power to conduct inquiry.

R.S., c. 99.

(2) Any person designated to conduct an inquiry or investigation under subsection one may for the purpose thereof issue a summons to any person in any part of Canada requiring him to appear at the time and place mentioned therein, and to testify to all matters within his knowledge relative to the subject-matter of the inquiry or investigation, and to bring with him and produce any document, book, or paper that he has in his possession or under his control relative to the subject-matter of the inquiry or investigation. Witnesses and evidence.

(3) Reasonable travelling expenses shall be paid to any person summoned under subsection two at the time of the service of the summons. Travelling expenses.

(4) Every person who Penalties.

(a) fails, without valid excuse, to attend an inquiry or investigation as required under this section,

(b) fails to produce any document, book or paper in his possession or under his control, as required under this section, or

(c) at any inquiry or investigation under this section

(i) refuses to be sworn or to affirm, or to declare, as the case may be, or

(ii) refuses to answer any proper question put to him by the person conducting the inquiry or investigation,

is guilty of an offence and is liable, on summary conviction, to a fine not exceeding four hundred dollars and not less than twenty dollars."

7. Sections two hundred and thirty-three and two hundred and thirty-four of the said Act are repealed and the following substituted therefor:

"234. Every animal or vehicle and goods of any kind brought into Canada by any traveller, and which have been exempted from duty under regulation of the Minister or otherwise, if sold or offered for sale in Canada, or otherwise disposed of in Canada, without payment of the duties thereon, are liable to forfeiture, together with the harness or tackle employed therewith or in the conveyance thereof." Travellers' goods exempted from duty by regulation forfeit if disposed of in Canada.

8. Subsection one of section two hundred and forty-five of the said Act is repealed and the following substituted therefor:

Contra-
vention
generally.

Forfeiture

“245. (1) All goods shipped or unshipped, imported or exported, carried or conveyed, contrary to this Act or to any regulation, and all goods or vehicles, and all vessels, with regard to which the requirements of this Act or any regulation have not been complied with, or with respect to which any attempt has been made to violate the provisions of this Act or any regulation, are liable to forfeiture.”

9. Section two hundred and forty-six of the said Act is repealed and the following substituted therefor:

Contra-
vention
of Act
in other
respects.

Penalty.

“246. Every person who violates or attempts to violate any of the provisions of this Act or who neglects any duty imposed on him by this Act, for which violation, attempted violation or neglect no penalty is herein specially provided, shall be liable on summary conviction before two justices of the peace to a penalty not exceeding two hundred dollars and not less than fifty dollars, or to imprisonment for a term not exceeding one year and not less than one month, or to both fine and imprisonment.”

10. Section two hundred and eighty-four of the said Act is amended by adding thereto, immediately after paragraph (s) thereof, the following paragraph:

“(ss) Dispensing in any case or class of cases with any reporting required by virtue of subsection four of section two.”

11. (1) Subsection two of section two hundred and eighty-nine of the said Act is repealed and the following substituted therefor:

Or by
railway,
highway
or air
transport.

“(2) The Governor in Council may make regulations for the appointment of sufferance warehouses in which goods arriving by railway, highway or air transport may be stored before entry, when such goods have been duly reported.”

(2) Section two hundred and eighty-nine of the said Act is further amended by adding thereto the following subsections:

Keeper of
sufferance
warehouse
to be liable
for duty
on goods
stored.

“(4) A person who operates a sufferance warehouse is responsible for the safekeeping of all goods stored therein pending the due entry or lawful removal of the goods, and is liable to His Majesty for all duties payable on the importation of the goods unless he can show to the satisfaction of the collector that the goods have been duly entered or lawfully removed.

(5) Subsection four applies to and is binding upon any Application board, commission, railway, public utility or authority that is an agent or servant of His Majesty in right of Canada or a province.

(6) No goods shall be stored before entry in any place Storing of goods before entry. other than a sufferance warehouse appointed under this section."

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15 GEORGE VI.

CHAP. 27.

An Act to amend the Customs Tariff.

[Assented to 20th June, 1951.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Schedule A to the *Customs Tariff*, chapter forty-four of the Revised Statutes of Canada, 1927, as amended, is further amended by striking thereout tariff items 216f, 296e, 386(p), 403(e), 409f, 410g, 410h, 410i, 410j, 410l, 410o(i), 410p, 410q, 410r, 410s, 410t, 410u, 410v, 410w, 410x, 410z, 435, 440k, 475, 523g, 682, 705, and 708, the several enumerations of goods respectively, and the several rates of duties of customs, if any, set opposite each of the said items, and by inserting in such Schedule A to the said Act the items, enumerations and rates of duty that are specified in Schedule A to this Act.

2. Schedule B to the said Act, as amended, is further amended by striking thereout tariff item 1052, the enumeration of goods and the rate of drawback of customs duties set opposite to the said item, and by inserting in the said Schedule B the items, enumerations and rates of drawback of customs duties that are specified in Schedule B to this Act.

3. This Act shall be deemed to have come into force on the eleventh day of April, one thousand nine hundred and fifty-one, and to have applied to all goods mentioned in the preceding sections and in the Schedules hereto, imported or taken out of warehouse for consumption on or after that date, and to have applied to goods previously imported for which no entry for consumption was made before that date.

R.S. c. 44;
1928, c. 17;
1929, c. 39;
1930 (1st
Sess.), c. 13;
1930 (2nd
Sess.), c. 3;
1931, c. 30;
1932, c. 41;
1932-33,
cc. 6, 37;
1934, cc. 32,
49;
1935, c. 28;
1936, c. 31;
1937, cc. 25
26;
1939 (1st
Sess.), c. 41;
1939 (2nd
Sess.), c. 2;
1940, c. 29;
1940-41, c. 13;
1942-43, c. 23;
1942-44, c. 7;
1944-45, c. 36;
1946, c. 45;
1947-48,
cc. 6, 42;
1949 (2nd
Sess.), c. 15;
1950, cc. 14,
50;
1950-51, c. 4

Schedule A
amended.

Schedule B
amended.

Date of
coming into
force.

SCHEDULE A

Tariff Item		British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
216f	Materials of a kind not produced in Canada when imported for use only in the manufacture of the goods specified in tariff items 237(a), (b), (c) and (d), 238, 238a, 238b, 238c, 238d, 238e, 238f and 238g.....	Free	Free	Free
238	Synthetic resin sheets, film or sheeting, not less than 6 inches in width, n.o.p.; synthetic resin lay-flat tubing, not less than 6 inches in circumference, n.o.p.:— (1) Phenol-aldehyde type, not further manufactured than cast..... (2) Acrylic type, not further manufactured than moulded or cast..... (3) Polyethylene type (i) Plain, uncoated, undecorated..... (ii) Other..... (4) Vinyl type, except vinylidene (i) Plain, uncoated, undecorated..... (ii) Other..... (5) Vinyl type, vinylidene (i) Plain, uncoated, undecorated..... (ii) Other..... (6) Other type (i) Plain, uncoated, undecorated..... (ii) Other..... Provided that, for the purposes of this Item' synthetic resin shall be deemed not to include cellulose derivatives.	Free Free 10 p.c. 15 p.c. 15 p.c. 15 p.c. Free Free Free Free Free Free Free 10 p.c.	Free Free 10 p.c. 15 p.c. 15 p.c. 20 p.c. Free Free Free Free Free Free 10 p.c.	Free Free 10 p.c. 15 p.c. 15 p.c. 25 p.c. Free Free Free Free Free Free 10 p.c.
277	Oils, hydrogenated, blown, dehydrated or sulphonated, not including blown or hydrogenated fish, seal or whale oils.....	15 p.c.	20 p.c.	25 p.c.
296e	Magnesium oxide and magnesium carbonate, not further manufactured than ground, when imported by manufacturers of insulating materials for use exclusively in the manufacture of such insulating materials, in their own factories.....	Free	Free	Free
386	(p) Sheets or strip, of iron or steel, hot or cold rolled, with silicon content of .075 per centum or more, when imported by manufacturers of electrical apparatus or of parts therefor, for use in the manufacture of electrical apparatus or of parts therefor, in their own factories...	Free	12½ p.c.	12½ p.c.
403	(e) Steel wire, coated or not, when imported by manufacturers of machine card clothing for use exclusively in the manufacture of machine card clothing, in their own factories	Free	Free	Free
409f	Grain crushers; grain or hay grinders; grain or hay dryers; milk coolers; steel stanchions for confining livestock either in pens or individually, including complete equipment for milking parlors; automatic stock watering bowls; barn litter carriers and track; sprinkler irrigation systems; barn hay forks, carriage, pulleys and track; all the foregoing for use on the farm for farm purposes only; hay loaders, hay tedders, potato planters, potato diggers, fodder or feed cutters, ensilage cutters, post hole diggers, snaths, stumping machines, grain loaders or elevators with a capacity not exceeding 40 bushels per minute and all other agricultural implements or agricultural machinery, n.o.p., and complete parts of all the foregoing.....	Free	Free	Free

SCHEDULE A—Continued

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
410a	(iv) Mine car loaders, self-propelled, single-bucket type, the bucket of which loads at the front and moves over the loader to discharge at the rear, n.o.p., and parts thereof, for use exclusively in mining operations.....	Free	12½ p.c.	35 p.c.
410g	Articles for use exclusively in the metallurgy or smelting of iron, viz.: machinery and apparatus for sintering or nodulizing iron ore, concentrated or not, or flue dust; machinery and apparatus for use exclusively in the construction, equipment and repairs of blast furnaces for smelting iron ore, such machinery and apparatus to include hot blast stoves and burners, blast piping and valves connecting the blowing engines with the furnace, scale cars, charging and hoisting apparatus, blast furnace gas piping, cleaners and washers; and parts of all the foregoing, but not to include wrought iron pipe or valves 10½ inches and under in diameter, nor structural iron work.....	Free	5 p.c.	5 p.c.
410h	Equipment and parts thereof for distributing stone dust in mines.....	Free	Free	10 p.c.
410i	(1) Miners' rescue appliances, designed for emergency use in mines, where artificial breathing is necessary in the presence of poisonous gases, including high pressure oxygen pumps for use exclusively in connection with such appliances, and automatic resuscitation apparatus for artificial breathing to aid in the saving of human life, and parts of all the foregoing.....	Free	Free	Free
	(2) Combustible gas indicators, for detecting explosive gases or vapors; methane detectors; carbon monoxide detectors and continuous indicators and recorders; carbon monoxide alarms; pyrotannic detectors for determining the presence and quantity of carbon monoxide in the blood; inhalators for use in reviving victims of carbon monoxide poisoning; pocket gas respirators, dust respirators, paint and lacquer spray respirators, fume and smoke masks, and hose mask outfits complete with face piece, harness, air line and air pump or blower, designed for the protection of firemen and industrial workers; special safety goggles, designed for eye protection of miners, welders, foundrymen and other industrial workers employed in hazardous work; parts of all the foregoing....	Free	Free	Free
410j	Miners' acetylene lamps and parts thereof; miners' safety lamps and parts thereof; accessories for cleaning, filling, charging, opening and testing miners' lamps; battery renewal preparations for miners' electric safety lamps; all for use exclusively in mines.....	Free	Free	Free
410l	Coal crushers, ore crushers, rock crushers, stamp mills, grinding mills, rock drills, percussion coal cutters, coal augers, rotary coal drills, n.o.p., and parts of all the foregoing, for use exclusively in mining, metallurgical or quarrying operations.....	5 p.c.	15 p.c.	25 p.c.

SCHEDULE A—*Continued*

Tariff Item		British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
410o	(i) Coal heading machines; electric or magnetic machines for concentrating or separating iron ores; automatic scales for use with conveyors; and parts of all the foregoing, for use exclusively in mining or metallurgical operations.....	Free	Free	Free
410p	Sundry articles of metal as follows, for use exclusively in mining and metallurgical operations, viz.: furnaces for the smelting of ores; converting apparatus for metallurgical processes in metals; machinery for the extraction of precious metals by the chlorination or cyanide processes, not to include pumps, vacuum pumps or compressors; blast furnace blowing engines for the production of pig iron; and parts of all the foregoing.....	Free	Free	Free
410q	Pumps and vacuum pumps, and parts thereof, for use exclusively in the extraction of precious metals by the chlorination or cyanide processes.....	15 p.c.	15 p.c.	20 p.c.
410r	Power driven reciprocating pumps and parts thereof, designed for normal working heads of 400 feet and over, for use exclusively underground in mines.....	15 p.c.	25 p.c.	27½ p.c.
410s	Amalgam safes; automatic ore samplers; automatic feeders; retorts; mercury pumps; non-metallic heating elements; pyrometers; bullion furnaces; amalgam cleaners; and parts of all the foregoing, for use exclusively in mining or metallurgical operations.....	Free	Free	Free
410t	Blowers, of iron or steel, of a class or kind not made in Canada, for use in the smelting of ores, or in reduction, separation or refining of metals, ores or minerals; rotary kilns, revolving roasters and furnaces of metal, of a class or kind not made in Canada, designed for roasting ore, mineral, rock or clay; furnace slag trucks and slag pots, of a class or kind not made in Canada; and parts of all the foregoing.....	Free	Free	Free
410u	Blowers, of iron or steel, n.o.p., for use in the smelting of ores, or in reduction, separation or refining of metals, ores or minerals; rotary kilns, revolving roasters and furnaces of metal, n.o.p., for use in the roasting of ore, mineral, rock or clay; furnace slag trucks and slag pots, n.o.p.; and parts of all the foregoing.....	12½ p.c.	17½ p.c.	20 p.c.
410v	Buddles, vanners, slime or concentrating tables and parts thereof, for use in mining and metallurgical operations.....	Free	Free	Free
410w	Machinery, n.o.p., for the concentration or separation of ores, metals or minerals, viz.: flotation machines, flotation cells, oil feeders and reagent feeders for flotation machines and flotation cells, pumps, vibrating and impact screens, jigs, magnetic separators, magnetic pulleys and filters, for use in the concentration or separation of ores, metals or minerals, and parts of all the foregoing.....	5 p.c.	7½ p.c.	20 p.c.

SCHEDULE A—Continued

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
410x	Machinery, furnaces and appliances, of a class or kind not made in Canada, and parts thereof, for use in the refining of metals, and for the production of anodes, cathodes, blocks, slabs, pigs or ingots, in such refining processes.....	Free	Free	Free
410z	Machinery and apparatus, n.o.p., and parts thereof, for the recovery of solid or liquid particles from flue or other waste gases at metallurgical or industrial plants, not to include motive power, tanks for gas, nor pipes and valves 10½ inches or less in diameter.....	5 p.c.	10 p.c.	12½ p.c.
435	(a) Locomotives and motor cars for railways, of a class or kind not made in Canada, and parts thereof (including motive power and parts thereof, of a class or kind not made in Canada), for use exclusively in mining, metallurgical or sawmill operations.....	Free	Free	20 p.c.
	(b) Diesel switching locomotives, including motive power, and parts of the foregoing, of a class or kind not made in Canada.....	Free	10 p.c.	20 p.c.
440k	(1) Engines and complete parts thereof, n.o.p., to be used exclusively in the propulsion of boats or in hoisting nets and lines used in such boats <i>bona fide</i> owned by individual fishermen for their own use in the fisheries, under such regulations as the Minister may prescribe.....	Free	12½ p.c.	15 p.c.
	(2) Diesel engines and complete parts thereof, to be used exclusively in the propulsion of boats or in hoisting nets and lines used in such boats for use exclusively in <i>bona fide</i> commercial fishing operations, under such regulations as the Minister may prescribe..	Free	Free	15 p.c.
475	Stereotypes, electrotypes, rubber plates and celluloids for books, and bases and matrices and copper shells for such printing plates; positive and negative films of periodical publications regularly issued at stated intervals as frequently as, at least, four times a year, not including catalogues.....	Free	Free	Free
523g	Woven fabrics, whether coated or not coated with rubber, when imported by manufacturers of card clothing for textile machinery, for use in the manufacture of such card clothing in their own factories.....	Free	Free	Free
682	(1) Fish hooks, for deep-sea or lake fishing, not smaller in size than number 2-0; fishing nets and nettings of all kinds; threads, twines, marlines, fishing lines, rope and cordage, not exceeding one and one-half inches in circumference, to be used for fishing purposes or for the construction or repair of fishing nets; the foregoing not to include such articles used for sportsmen's purposes, and to be subject to such regulations as the Minister may prescribe.....	Free	Free	Free

SCHEDULE A—*Concluded*

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
682	(2) Materials for use in the manufacture of the goods specified in tariff item 682(1).....	Free	Free	Free
705	Settlers' effects, viz.:—Wearing apparel, books, usual and reasonable household furniture and other household effects; instruments and tools of trade, occupation or employment, guns, musical instruments, domestic sewing machines, typewriters, bicycles, carts, wagons and other highway vehicles, agricultural implements and livestock for the farm, not to include live stock or articles for sale, or for use as a contractor's outfit, nor vehicles nor implements moved by mechanical power, nor machinery for use in any manufacturing establishment; all the foregoing if actually owned abroad by the settler for at least six months before his removal to Canada, and subject to regulations prescribed by the Minister..... Provided: (1) That, subject to the exceptions stated hereunder, any dutiable article entered as settlers' effects may not be so entered unless brought by the settler on his first arrival, and shall not be sold or otherwise disposed of without payment of duty until after twelve months' actual use in Canada; (2) That the six months' ownership requirement as specified in this Item shall not apply in the case of bona fide brides' trousseaux and wedding presents; and (3) That with respect to bona fide settlers' effects imported from countries named by the Minister that are applying restrictions on the transfer of emigrants' capital to Canada, the six months' ownership requirement specified in this Item shall not apply and notwithstanding the first arrival requirements specified in this Item a reasonable amount of the effects of a settler may be entered from such countries under this Item (a) during a period of three years from the date of the settler's first arrival, or (b) where the settler's first arrival occurred between April 10, 1945, and April 11, 1949, during the period ending April 10, 1952, subject to such regulations as the Minister may prescribe.	Free	Free	Free
708	Arms, military stores, munitions of war and other goods the property of and to remain the property of a British Commonwealth country designated by the Governor in Council or of a foreign country that is a party to the North Atlantic Treaty and is designated by the Governor in Council; goods consigned to military service agencies and institutions designated by the Governor in Council where the goods are for the personal use of or consumption by nationals of countries designated under this Item who are employed in defence establishments of those countries in Canada..... Provided that the Governor in Council may prescribe regulations for all the foregoing and may order that any of the privileges granted under this Item be withdrawn in any case where a country does not grant corresponding privileges to Canada.	Free	Free	Free

SCHEDULE B

Item No.	Goods	When Subject to Drawback	Portion of Duty (not including Special Duty or Dumping Duty) Payable as Drawback
1052	Machinery, new or used, and all parts thereof, not including consumable tools, of a class or kind not made in Canada	When for use in the plants of manufacturers of automobiles and motor vehicles or of automobile or motor vehicle parts for the manufacture of automobiles and motor vehicles or of automobile and motor vehicle parts.....	99 p.c.
1053	Machinery, new or used, and all parts thereof, not including consumable tools, of a class or kind not made in Canada.	When for use in the plants of manufacturers of aircraft, aircraft engines, aircraft equipment, or of parts of the foregoing for the manufacture of aircraft, aircraft engines, aircraft equipment, or of parts of the foregoing.....	99 p.c.

OTTAWA: Printed by EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
Law Printer to the King's Most Excellent Majesty.

15 GEORGE VI.

CHAP. 28.

An Act to amend the Excise Tax Act.

[Assented to 20th June, 1951.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Part X of the *Excise Tax Act*, chapter one hundred and seventy-nine of the Revised Statutes of Canada, 1927, is repealed.

2. Section seventy-nine of the said Act is repealed and the following substituted therefor:—

“**79.** In this Part, the expression

(a) “duty paid value” means the value of the article as it would be determined for the purpose of calculating an *ad valorem* duty upon the importation of such article into Canada under the laws relating to the Customs and the Customs Tariff whether such article is in fact subject to *ad valorem* or other duty or not, plus the amount of the customs duties, if any, payable thereon; and

(b) “sale price”, for the purpose of determining the excise tax payable under this Part, means the aggregate of

(i) the amount charged as price before any amount payable in respect of any other tax under this Act is added thereto,

(ii) any amount that the purchaser is liable to pay to the vendor by reason of or in respect of the sale in addition to the amount charged as price (whether payable at the same or some other time) including, without limiting the generality of the foregoing, any amount charged for, or to make provision for, advertising, financing, servicing, warranty, commission or any other matter, and

(iii) the amount of excise duties payable under the *Excise Act* whether the goods are sold in bond or not”.

1927., c. 179;
1928, c. 50;
1929, c. 57;
1930, c. 43;
1931, c. 54;
1932, c. 54;
1932-33, c. 50;
1934, c. 42;
1935, c. 33;
1936, c. 45;
1937, c. 41;
1938, c. 52;
1939, c. 52;
1939 (2nd
Sess.), c. 8;
1940, c. 41;
1940-41, cc. 1,
27;
1942-43, c. 32;
1943-44, c. 11;
1944-45, c. 48;
1945 (2nd
Sess.) c. 30;
1946, c. 65;
1947, c. 60;
1947-48, cc. 8,
50;
1949 (2nd
Sess.), c. 21;
1950, c. 15;
1950-51, c. 8.
Repeal.

“duty paid
value”.

“sale price”.

3. Subsection one of section eighty A of the said Act, as enacted by section two of chapter eight of the statutes of 1950-51, is repealed and the following substituted therefor:—

Furs

“80A. (1) There shall be imposed, levied and collected, an excise tax equal to twenty-five per cent. of the current market value of all dressed furs, dyed furs and dressed and dyed furs,

- (i) imported into Canada, payable by the importer or transferee of such goods before they are removed from the custody of the proper customs officer; or
- (ii) dressed, dyed, or dressed and dyed in Canada, payable by the dresser or dyer at the time of delivery by him.”

4. Section eighty B of the said Act, as enacted by section three of chapter eight of the statutes of 1950-51, is repealed and the following substituted therefor:—

Fur content
of garments
etc.

“80B. There shall be imposed, levied and collected an excise tax equal to twenty-five per cent. of the current market value of the fur contained in any garment, robe, or other article imported into Canada, payable by the importer or transferee of such goods before they are removed from the custody of the proper customs officer.”

5. Paragraphs (a) and (b) of subsection one of section eighty-five of the said Act, as enacted by section three of chapter fifteen of the statutes of 1950, are repealed and the following substituted therefor:—

“duty paid
value”.

“(a) “duty paid value” means the value of the article as it would be determined for the purpose of calculating an *ad valorem* duty upon the importation of such article into Canada under the laws relating to the Customs and the Customs Tariff whether such article is in fact subject to *ad valorem* or other duty or not, plus the amount of the customs duties, if any, payable thereon; and

“sale price”.

“(b) “sale price” for the purpose of determining the consumption or sales tax, means the aggregate of

- (i) the amount charged as price before any amount payable in respect of any other tax under this Act is added thereto,
- (ii) any amount that the purchaser is liable to pay to the vendor by reason of or in respect of the sale in addition to the amount charged as price (whether payable at the same or some other time) including, without limiting the generality of the

foregoing, any amount charged for, or to make provision for, advertising, financing, servicing, warranty, commission or any other matter, and

(iii) the amount of excise duties payable under the *Excise Act* whether the goods are sold in bond or not,

and, in the case of imported goods, the sale price shall be deemed to be the duty paid value thereof."

6. That portion of subsection one of section eighty-six of the said Act before paragraph (a) thereof is repealed and the following substituted therefor:—

"**86.** (1) There shall be imposed, levied and collected a consumption or sales tax of ten per cent. on the sale price of all goods" Consumption or sales tax of ten per cent.

7. Subsection two of section one hundred and fifteen of the said Act is repealed and the following substituted therefor:—

"(2) Before making a declaration under subsection one of the Tariff Board shall provide for a hearing and shall publish a notice thereof in the *Canada Gazette* at least twenty-one days prior to the day of the hearing, and any person who, on or before that day, enters an appearance with the Secretary of the Tariff Board may be heard at the hearing. Hearing by Tariff Board.

"(3) A declaration by the Tariff Board under this section is final and conclusive, subject to appeal as provided in section one hundred and sixteen. Declaration final.

"(4) No refund or deduction shall be made under section one hundred and five as the result of any declaration of the Tariff Board under this section or an order or judgment under section one hundred and sixteen in respect of taxes paid more than twelve months before the date of the application to the Tariff Board for a declaration under this section." Refunds under s. 105.

8. Section one hundred and sixteen of the said Act is repealed and the following substituted therefor:—

"**116.** (1) Any of the parties to proceedings under section one hundred and fifteen, namely, Appeal to Exchequer Court.

(a) the person who applied to the Tariff Board for a declaration,

(b) the Deputy Minister of National Revenue for Customs and Excise, or

(c) any person who entered an appearance with the Secretary of the Tariff Board in accordance with subsection two of section one hundred and fifteen,

may, upon leave being obtained from the Exchequer Court of Canada or a judge thereof, upon application made within thirty days from the making of the declaration sought to be appealed, or within such further time as the Court or judge may allow, appeal to the Exchequer Court upon any question that in the opinion of the Court or judge is a question of law.

Notices of application.

(2) The appellant under subsection one shall give to the Tariff Board, and to the other parties to the proceedings under section one hundred and fifteen, seven clear days' notice of his application for leave to appeal, and the Tariff Board and such other parties have the right to be heard by counsel or otherwise upon the application or upon the appeal, or both.

Security for costs.

(3) Where leave to appeal under this section is granted, the appellant shall, within sixty days from the granting of the leave, deposit with the Registrar of the Exchequer Court the sum of one hundred and fifty dollars as security for costs, and thereupon the Registrar shall set the appeal down for hearing at such time and place as the Court may direct, and shall notify the Tariff Board, the appellant and the other parties to the proceedings under section one hundred and fifteen accordingly.

Disposition of appeal.

(4) The Exchequer Court may dispose of an appeal under this section by dismissing it, by making such order as the Court may deem expedient or by referring the matter back to the Tariff Board for re-hearing.

Rules.

(5) The judges of the Exchequer Court may make rules and orders for regulating the practice and procedure in applications for leave to appeal and in appeals under this section.

Appeal to Supreme Court.

(6) Any order or judgment of the Exchequer Court made under this section may be appealed to the Supreme Court of Canada in like manner as any other judgment of the Exchequer Court, and the provisions of the *Exchequer Court Act* as to appeals shall apply to any appeal taken under this subsection."

R.S., c. 34.

9. The following section is added to the said Act as section one hundred and seventeen:—

Inquiries.

"117. (1) Any person designated by the Minister may conduct any inquiry or investigation in matters relating to this Act, and any person so authorized has all the powers and authority of a commissioner appointed under Part I of the *Inquiries Act*.

R.S., c. 93.

(2) A person designated to conduct an inquiry or investigation under subsection one may for the purpose thereof issue a summons to any person in any part of Canada requiring him to appear at the time and place mentioned therein and to testify to all matters within his knowledge

relative to the subject-matter of the inquiry or investigation and to bring with him and produce any document, book, or paper that he has in his possession or under his control relative to the subject-matter of the inquiry or investigation.

(3) Reasonable travelling expenses shall be paid to any person summoned under subsection two at the time of the service of the summons. Travelling expenses.

(4) Every person who Penalties.

(a) fails, without valid excuse, to attend an inquiry or investigation as required under this section,

(b) fails to produce any document, book or paper in his possession or under his control, as required under this section, or

(c) at any inquiry or investigation under this section

(i) refuses to be sworn, or to affirm, or to declare, as the case may be, or

(ii) refuses to answer any proper question put to him by the person conducting the inquiry or investigation,

is guilty of an offence and is liable, on summary conviction, to a fine not exceeding four hundred dollars and not less than twenty dollars."

10. Schedule I to the said Act, as enacted by section four of chapter eight of the statutes of 1950-51, is repealed and the First Schedule to this Act is substituted therefor. Schedule I repealed and re-enacted.

11. Schedule II to the said Act, as enacted by section five of chapter eight of the statutes of 1950-51, is repealed and the Second Schedule to this Act is substituted therefor. Schedule II repealed and re-enacted.

12. (1) Schedule III to the said Act, as enacted by section fourteen of chapter fifty of the statutes of 1947-48, is amended by adding thereto, immediately under the heading "RELIGIOUS, CHARITABLE, HEALTH, ETC", the following words:— Schedule III amended.

"Adrenocorticotrophin (ACTH); Cortisone;"

(2) The said Schedule III is further amended by adding thereto, immediately under the heading "MISCELLANEOUS", the following:—

"Articles and materials purchased or imported by a government of a country designated by the Governor in Council under Customs Tariff Item 708, or purchased or imported by a Canadian government agency on behalf of such a government, for the construction, maintenance or operation of military or defence establishments in Canada and not intended for resale, gift or other disposition except as may be authorized by the Minister of National Revenue."

Coming
into force.

13. Sections one, three, four, six, ten, eleven and twelve of this Act shall be deemed to have come into force on the eleventh day of April, nineteen hundred and fifty-one and to have applied to all goods mentioned therein imported or taken out of warehouse for consumption on or after that day, and to have applied to goods previously imported for which no entry for consumption was made before that day.

FIRST SCHEDULE.

"SCHEDULE I.

1. Automobiles adapted or adaptable for passenger use, with seating capacity for not more than ten persons each.....twenty-five per cent;
 Provided that the tax on automobiles shall apply on the total price charged for such automobiles, which price shall include all charges for accessories, optional equipment, advertising, financing, servicing, warranty, or any other charges contracted for at the time of sale, whether charged for separately or not; Provided, further, that the tax shall not apply to automobiles imported under Customs Tariff items 702, 704, 705a, 706, 707 and 708.

2. Articles, materials or preparations of whatever composition or in whatever form, commonly or commercially known as toilet articles, preparations or cosmetics, which are intended for use or application for toilet purposes, or for use in connection with the care of the human body, including the hair, nails, eyes, teeth, or any other part or parts thereof, whether for cleansing, deodorizing, beautifying, preserving or restoring, and to include shaving soaps and shaving creams, antiseptics, bleaches, depilatories, perfumes, scents and similar preparations.....twenty-five per cent.

3. (a) Electrical appliances adapted to household or apartment use, viz. blankets; chafing dishes; coffee makers; curling irons or tongs; dish washers; food or drink mixers; food choppers and grinders; floor waxers and polishers; garbage disposal units; hair dryers; irons and ironers; juice extractors; kettles; portable humidifiers; razors and shavers; toasters of all kinds; vacuum cleaners and attachments therefor; waffle irons.....twenty-five per cent;
- (b) Appliances adapted to household or apartment use, viz. stoves, hot plates, grills and other appliances when adapted wholly or in part for cooking and when designed for using other than solid fuels; washing machines operated by electric or other power; electric, gas or kerosene refrigerators and freezing equipment and complete parts thereof including coils, condensing or compressor units, motors, cabinets, boxes, evaporators and expansion valves.....fifteen per cent;

Provided, however, that on stoves and other cooking appliances capable of using both solid and other fuels, the tax shall only apply to that portion of the appliance designed for other than solid fuels, as determined by the Minister, who shall be the sole judge as to the sale price or duty paid value of such portion.

- (c) Firearms and complete parts thereof and ammunition except for military or police purposes.....twenty-five per cent;
- (d) Motor cycles and all other two- or three-wheeled motor-driven vehicles including motors for attachment to bicycles but not including vehicles specially designed for carrying goods or for use by invalids....twenty-five per cent;
- (e) Golf clubs and golf balls.....twenty-five per cent;
- (f) Fishing rods and fishing reels.....twenty-five per cent.

4. Devices, commonly or commercially known as lighters, which produce sparks, flame or heat whether or not in combination with other articles on the separate or combined value, as the case may be.....twenty-five per cent.

5. Cameras and unexposed photographic films and plates, except those sold for industrial or professional photographers' use; projectors for pictures except those sold for commercial, religious, or educational purposes.....twenty-five per cent.

6. Phonographs, record playing devices, radio broadcast or telecast receiving sets and tubes therefor.....twenty-five per cent.

7. Coin, disc or token operated slot machines and vending machines; coin, disc or token operated games or amusement devices of all kinds.....twenty-five per cent;
Provided that the tax hereby imposed shall not apply to coin collectors used on pay telephones, turnstiles for collecting tolls or charges, coin operated locking devices, nor gas, electric or parking meters.

8. Trunks; suitcases; bags and luggage of all kinds; purses; wallets; billfolds; key and card cases; handbags; jewel cases; dressing and toilet cases; shopping bags, except paper bags; golf and other sports bags; all the foregoing whether fitted or not.....twenty-five per cent;
Provided that the tax hereby imposed shall not apply to the goods mentioned herein when manufactured expressly for a customer for his use in the operation of his business or profession.

9. Ash trays; tobacco pipes; cigar and cigarette holders; cigarette rolling devices and other smokers' accessories, not to include lighters, matches or tobacco.....twenty-five per cent.

10. Fountain pens; ball-point pens; ink pencils; propelling pencils; desk sets and all other desk accessories.....twenty-five per cent.

11. Cigars.....twenty-five per cent.

12. Matches.....twenty-five per cent.

13. Tires and Tubes:—

(a) Tires in whole or in part of rubber for automotive vehicles of all kinds, including trailers or other wheeled attachments used in connection with any of the said vehicles.....twenty-five per cent;

(b) Inner tubes for use in any such tires....twenty-five per cent;
Provided that the tax hereby imposed shall not apply to the goods mentioned herein when used exclusively for the original equipment of such automotive vehicles.

14. (a) Clocks and watches adapted to household or personal use, except railway men's watches, and those specially designed for the use of the blind, and alarm clocks where the sale price by the Canadian manufacturer or the duty paid value of those imported does not exceed ten dollars.....twenty-five per cent;

(b) Articles of all kinds made in whole or in part of ivory, jet, amber, coral, mother of pearl, natural shells, tortoise shell, jade, onyx, lapis lazuli, or other semi-precious stones. twenty-five per cent;

Provided that the tax on the articles enumerated in subsections (a) and (b) of this section shall not apply to the goods mentioned where the sale price by the Canadian manufacturer, or the duty paid value of the goods imported, does not exceed one dollar;

(c) Articles commonly or commercially known as jewellery, whether real or imitation, including diamonds and other precious or semi-precious stones for personal use or for adornment of the person; goldsmiths' and silversmiths' products except plated table knives, forks and spoons; pewter ware;

Articles of cut glassware, crystal glassware, cut or not, etched glassware, or metal decorated glassware;

Articles of china, porcelain, earthenware, marble, stoneware, or other pottery ware, except articles for use in the preparation or serving of food or drink.twenty-five per cent;

Provided that the tax on the articles enumerated in subsection (c) of this section shall not apply to the goods mentioned where the sale price by the Canadian manufacturer, or the duty paid value of the goods imported, does not exceed fifty cents.

15. Carbonated beverages, aerated waters, unfermented fruit juice beverages (not including beverages at least ninety-five per cent of which consists of pure juice of the fruit) and imitations thereof and all other compounded or mixed soft drinks where the beverages, waters or drinks are put up in bottles or other containers for sale.thirty per cent.

16. Candy, chocolate, chewing gum and confectionery that may be classed as candy or a substitute for candy.fifteen per cent."

SECOND SCHEDULE.

"SCHEDULE II.

1. Carbonic acid gas and similar preparations to be used for aerating non-alcoholic beverages. . . . fifty cents per pound.

2. Cigarettes, manufactured tobacco and Canadian raw leaf tobacco:—

(a) For each five cigarettes or fraction of five cigarettes contained in any package.
two and three quarter cents;

(b) For each ounce or fraction of an ounce of manufactured tobacco, including snuff but not including cigars and cigarettes, contained in any package. five cents;

Provided, however, that the tax on manufactured tobacco in packages to which excise duty stamps had been affixed and which were in the possession of licensed tobacco manufacturers on April 10th, 1951, shall be calculated at the rate of. eighty cents per lb.

(c) For each ounce or fraction of an ounce of Canadian raw leaf tobacco when sold for consumption in Canada. one and one quarter cents."

OTTAWA: Printed by EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
Law Printer to the King's Most Excellent Majesty.

(C^v)

15 GEORGE VI.

CHAP. 29.

An Act respecting Indians.

[Assented to 20th June, 1951.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

SHORT TITLE.

1. This Act may be cited as *The Indian Act*.

Short title.

INTERPRETATION.

2. (1) In this Act,

Definitions.

- (a) "band" means a body of Indians

"band."

(i) for whose use and benefit in common, lands, the legal title to which is vested in His Majesty, have been set apart before or after the coming into force of this Act,

(ii) for whose use and benefit in common, moneys are held by His Majesty, or

(iii) declared by the Governor in Council to be a band for the purposes of this Act;

- (b) "child" includes a legally adopted Indian child:

"child."

- (c) "council of the band" means

"Council of the band."

(i) in the case of a band to which section seventy-three applies, the council established pursuant to that section,

(ii) in the case of a band to which section seventy-three does not apply, the council chosen according to the custom of the band, or, where there is no council, the chief of the band chosen according to the custom of the band;

- (d) "Department" means the Department of Citizenship and Immigration;

"Department."

- (e) "elector" means a person who

"elector."

(i) is registered on a Band List,

(ii) is of the full age of twenty-one years, and

(iii) is not disqualified from voting at band elections;

- (f) "estate" includes real and personal property and any interest in land;

"estate."

- "Indian." (g) "Indian" means a person who pursuant to this Act is registered as an Indian or is entitled to be registered as an Indian;
- "Indian moneys." (h) "Indian moneys" means all moneys collected, received or held by His Majesty for the use and benefit of Indians or bands;
- "intoxicant." (i) "intoxicant" includes alcohol, alcoholic, spirituous, vinous, fermented malt or other intoxicating liquor or combination of liquors and mixed liquor a part of which is spirituous, vinous, fermented or otherwise intoxicating and all drinks or drinkable liquids and all preparations or mixtures capable of human consumption that are intoxicating;
- "member of a band." (j) "member of a band" means a person whose name appears on a Band List or who is entitled to have his name appear on a Band List;
- "mentally incompetent Indian." (k) "mentally incompetent Indian" means an Indian who, pursuant to the laws of the province in which he resides, has been found to be mentally defective or incompetent for the purposes of any laws of that province providing for the administration of estates of mentally defective or incompetent persons;
- "Minister." (l) "Minister" means the Minister of Citizenship and Immigration;
- "registered." (m) "registered" means registered as an Indian in the Indian Register;
- "Registrar." (n) "Registrar" means the officer of the Department who is in charge of the Indian Register;
- "reserve." (o) "reserve" means a tract of land, the legal title to which is vested in His Majesty, that has been set apart by His Majesty for the use and benefit of a band;
- "superintendent." (p) "superintendent" includes a commissioner, regional supervisor, Indian superintendent, assistant Indian superintendent and any other person declared by the Minister to be a superintendent for the purposes of this Act, and with reference to a band or a reserve, means the superintendent for that band or reserve;
- "surrendered lands." (q) "surrendered lands" means a reserve or part of a reserve or any interest therein, the legal title to which remains vested in His Majesty, that has been released or surrendered by the band for whose use and benefit it was set apart.
- "band." (2) The expression "band" with reference to a reserve or surrendered lands means the band for whose use and benefit the reserve or the surrendered lands were set apart.
- Exercise of powers conferred on band or council. (3) Unless the context otherwise requires or this Act otherwise provides
- (a) a power conferred upon a band shall be deemed not to be exercised unless it is exercised pursuant to the consent of a majority of the electors of the band, and

- (b) a power conferred upon the council of a band shall be deemed not to be exercised unless it is exercised pursuant to the consent of a majority of the councillors of the band present at a meeting of the council duly convened.

ADMINISTRATION.

3. (1) This Act shall be administered by the Minister of Citizenship and Immigration, who shall be the superintendent general of Indian affairs. Minister to administer Act.

(2) The Minister may authorize the Deputy Minister of Citizenship and Immigration or the chief officer in charge of the branch of the Department relating to Indian affairs to perform and exercise any of the duties, powers and functions that may be or are required to be performed or exercised by the Minister under this Act or any other Act of the Parliament of Canada relating to Indian affairs. Authority of Deputy Minister and chief officer.

APPLICATION OF ACT.

4. (1) This Act does not apply to the race of aborigines commonly referred to as Eskimos. Eskimos

(2) The Governor in Council may by proclamation declare that this Act or any portion thereof, except sections thirty-seven to forty-one, shall not apply to G. in C. may declare Act inapplicable.

(a) any Indians or any group or band of Indians, or

(b) any reserve or any surrendered lands or any part thereof,

and may by proclamation revoke any such declaration.

DEFINITION AND REGISTRATION OF INDIANS.

5. An Indian Register shall be maintained in the Department, which shall consist of Band Lists and General Lists and in which shall be recorded the name of every person who is entitled to be registered as an Indian. Indian Register.

6. The name of every person who is a member of a band and is entitled to be registered shall be entered in the Band List for that band, and the name of every person who is not a member of a band and is entitled to be registered shall be entered in a General List. Band Lists and General Lists.

7. (1) The Registrar may at any time add to or delete from a Band List or a General List the name of any person who, in accordance with the provisions of this Act, is entitled or not entitled, as the case may be, to have his name included in that List. Deletions and additions.

(2) The Indian Register shall indicate the date on which each name was added thereto or deleted therefrom. Date of change.

Existing
lists to
constitute
Register.

8. Upon the coming into force of this Act, the band lists then in existence in the Department shall constitute the Indian Register, and the applicable lists shall be posted in a conspicuous place in the superintendent's office that serves the band or persons to whom the list relates and in all other places where band notices are ordinarily displayed.

Deletions
and
additions
may be
protested.

9. (1) Within six months after a list has been posted in accordance with section eight or within three months after the name of a person has been added to or deleted from a Band List or a General List pursuant to section seven

(a) in the case of a Band List, the council of the band, any ten electors of the band, or any three electors if there are less than ten electors in the band,

(b) in the case of a posted portion of a General List, any adult person whose name appears on that posted portion, and

(c) the person whose name was included in or omitted from the list referred to in section eight, or whose name was added to or deleted from a Band List or a General List,

may, by notice in writing to the Registrar, containing a brief statement of the grounds therefor, protest the inclusion, omission, addition, or deletion, as the case may be, of the name of that person.

Registrar to
cause in-
vestigation.

(2) Where a protest is made to the Registrar under this section he shall cause an investigation to be made into the matter and shall render a decision, and subject to a reference under subsection three, the decision of the Registrar is final and conclusive.

Reference
to Judge.

(3) Within three months from the date of a decision of the Registrar under this section

(a) the council of the band affected by the Registrar's decision, or

(b) the person by or in respect of whom the protest was made,

may, by notice in writing, request the Registrar to refer the decision to a judge for review, and thereupon the Registrar shall refer the decision, together with all material considered by the Registrar in making his decision, to the judge of the county or district court of the county or district in which the band is situated or in which the person in respect of whom the protest was made resides, or such other county or district as the Minister may designate, or in the Province of Quebec, to the judge of the Superior Court for the district in which the band is situated or in which the person in respect of whom the protest was made resides, or such other district as the Minister may designate.

(4) The judge of the county, district or Superior Court, as the case may be, shall inquire into the correctness of the Registrar's decision, and for such purposes may exercise all the powers of a commissioner under Part I of the *Inquiries Act*; the judge shall decide whether the person in respect of whom the protest was made is, in accordance with the provisions of this Act, entitled or not entitled, as the case may be, to have his name included in the Indian Register, and the decision of the judge is final and conclusive.

Inquiry and
decision.

R.S., c. 99.

10. Where the name of a male person is included in, omitted from, added to or deleted from a Band List or a General List, the names of his wife and his minor children shall also be included, omitted, added or deleted, as the case may be.

Wife and
minor
children.

11. Subject to section twelve, a person is entitled to be registered if that person

Persons
entitled to
be registered.

(a) on the twenty-sixth day of May, eighteen hundred and seventy-four, was, for the purposes of *An Act providing for the organization of the Department of the Secretary of State of Canada, and for the management of Indian and Ordinance Lands*, chapter forty-two of the statutes of 1868, as amended by section six of chapter six of the statutes of 1869, and section eight of chapter twenty-one of the statutes of 1874, considered to be entitled to hold, use or enjoy the lands and other immovable property belonging to or appropriated to the use of the various tribes, bands or bodies of Indians in Canada,

(b) is a member of a band

(i) for whose use and benefit, in common, lands have been set apart or since the twenty-sixth day of May, eighteen hundred and seventy-four have been agreed by treaty to be set apart, or

(ii) that has been declared by the Governor in Council to be a band for the purposes of this Act,

(c) is a male person who is a direct descendant in the male line of a male person described in paragraph

(a) or (b),

(d) is the legitimate child of

(i) a male person described in paragraph (a) or (b),
or

(ii) a person described in paragraph (c),

(e) is the illegitimate child of a female person described in paragraph (a), (b) or (d), unless the Registrar is satisfied that the father of the child was not an Indian and the Registrar has declared that the child is not entitled to be registered, or

(f) is the wife or widow of a person who is entitled to be registered by virtue of paragraph (a), (b), (c), (d) or (e).

Persons not
entitled to
be
registered.

12. (1) The following persons are not entitled to be registered, namely,

(a) a person who

(i) has received or has been allotted half-breed lands or money scrip,

(ii) is a descendant of a person described in subparagraph (i),

(iii) is enfranchised, or

(iv) is a person born of a marriage entered into after the coming into force of this Act and has attained the age of twenty-one years, whose mother and whose father's mother are not persons described in paragraph (a), (b), (d), or entitled to be registered by virtue of paragraph (e) of section eleven, unless, being a woman, that person is the wife or widow of a person described in section eleven, and

(b) a woman who is married to a person who is not an Indian.

Certificate.

(2) The Minister may issue to any Indian to whom this Act ceases to apply, a certificate to that effect.

Admission
to band of
persons on
General List.

13. (1) Subject to the approval of the Minister, a person whose name appears on a General List may be admitted into membership of a band with the consent of the band or the council of the band.

Transfer of
band
membership.

(2) Subject to the approval of the Minister, a member of a band may be admitted into membership of another band with the consent of the latter band or the council of that band.

Woman
marrying
outside band
ceases to
be member.

14. A woman who is a member of a band ceases to be a member of that band if she marries a person who is not a member of that band, but if she marries a member of another band, she thereupon becomes a member of the band of which her husband is a member.

Payments to
persons
ceasing to be
members.

15. (1) Subject to subsection two, an Indian who becomes enfranchised or who otherwise ceases to be a member of a band is entitled to receive from His Majesty

(a) one *per capita* share of the capital and revenue moneys held by His Majesty on behalf of the band, and

(b) an amount equal to the amount that in the opinion of the Minister he would have received during the next succeeding twenty years under any treaty then in existence between the band and His Majesty if he had continued to be a member of the band.

Payments
not to be
made in
certain cases.

(2) A person is not entitled to receive any amount under subsection one

(a) if his name was removed from the Indian register pursuant to a protest made under section nine, or

(b) if he is not entitled to be a member of a band by reason of the application of paragraph (e) of section eleven or subparagraph (iv) of paragraph (a) of section twelve.

(3) Where by virtue of this section moneys are payable to a person who is under the age of twenty-one, the Minister may Payments to minors

(a) pay the moneys to the parent, guardian or other person having the custody of that person, or

(b) cause payment of the moneys to be withheld until that person reaches the age of twenty-one.

(4) Where the name of a person is removed from the Indian Register and he is not entitled to any payment under subsection one, the Minister shall, if he considers it equitable to do so, authorize payment, out of moneys appropriated by Parliament, of such compensation as the Minister may determine for any permanent improvements made by that person on lands in a reserve. Compensation for permanent improvements.

16. (1) Section fifteen does not apply to a person who ceases to be a member of one band by reason of his becoming a member of another band, but, subject to subsection three, there shall be transferred to the credit of the latter band the amount to which that person would, but for this section, have been entitled under section fifteen. Transfer of funds.

(2) A person who ceases to be a member of one band by reason of his becoming a member of another band is not entitled to any interest in the lands or moneys held by His Majesty on behalf of the former band, but he is entitled to the same interest in common in lands and moneys held by His Majesty on behalf of the latter band as other members of that band. Transferred member's interest in lands and moneys.

(3) Where a woman who is a member of one band becomes a member of another band by reason of marriage, and the *per capita* share of the capital and revenue moneys held by His Majesty on behalf of the first-mentioned band is greater than the *per capita* share of such moneys so held for the second-mentioned band, there shall be transferred to the credit of the second-mentioned band an amount equal to the *per capita* share held for that band, and the remainder of the money to which the woman would, but for this section, have been entitled under section fifteen shall be paid to her in such manner and at such times as the Minister may determine. Transfer of woman by marriage.

17. (1) The Minister may, whenever he considers it desirable,

(a) constitute new bands and establish Band Lists with respect thereto from existing Band Lists or General Lists, or both, and Minister may constitute new bands.

(b) amalgamate bands that, by a vote of a majority of their electors, request to be amalgamated.

Division of
reserves and
funds.

(2) Where pursuant to subsection one a new band has been established from an existing band or any part thereof, such portion of the reserve lands and funds of the existing band as the Governor in Council determines shall be held for the use and benefit of the new band.

RESERVES.

Reserves to
be held for
use and
benefit of
Indians.

18. (1) Subject to the provisions of this Act, reserves shall be held by His Majesty for the use and benefit of the respective bands for which they were set apart; and subject to this Act and to the terms of any treaty or surrender, the Governor in Council may determine whether any purpose for which lands in a reserve are used or are to be used is for the use and benefit of the band.

Use of
reserves for
schools, etc

(2) The Governor in Council may authorize the use of lands in a reserve for the purpose of Indian schools, the administration of Indian affairs, Indian health projects or for any other purpose for the general welfare of the band, and may take any lands in a reserve required for such purposes, but where an individual Indian, immediately prior to such taking, was entitled to the possession of such lands, compensation for such use shall be paid to the Indian, in such amount as may be agreed between the Indian and the Minister, or, failing agreement, as may be determined in such manner as the Minister may direct.

Minister
may author-
ize surveys
and sub-
divisions.

19. The Minister may

- (a) authorize surveys of reserves and the preparation of plans and reports with respect thereto,
- (b) divide the whole or any portion of a reserve into lots or other subdivisions, and
- (c) determine the location and direct the construction of roads in a reserve.

POSSESSION OF LANDS IN RESERVES.

Possession
of lands in a
reserve.

20. (1) No Indian is lawfully in possession of land in a reserve unless, with the approval of the Minister, possession of the land has been allotted to him by the council of the band.

Certificate
of
Possession.

(2) The Minister may issue to an Indian who is lawfully in possession of land in a reserve a certificate, to be called a Certificate of Possession, as evidence of his right to possession of the land described therein.

Location
tickets issued
under
previous
legislation.

(3) For the purposes of this Act, any person who, at the commencement of this Act, holds a valid and subsisting location ticket issued under *The Indian Act, 1880*, or any statute relating to the same subject matter, shall be deemed to be lawfully in possession of the land to which the location ticket relates and to hold a Certificate of Possession with respect thereto.

(4) Where possession of land in a reserve has been allotted to an Indian by the council of the band, the Minister may, in his discretion, withhold his approval and may authorize the Indian to occupy the land temporarily and may prescribe the conditions as to use and settlement that are to be fulfilled by the Indian before the Minister approves of the allotment. Temporary possession.

(5) Where the Minister withholds approval pursuant to subsection four, he shall issue a Certificate of Occupation to the Indian, and the Certificate entitles the Indian, or those claiming possession by devise or descent, to occupy the land in respect of which it is issued for a period of two years from the date thereof. Certificate of Occupation.

(6) The Minister may extend the term of a Certificate of Occupation for a further period not exceeding two years, and may, at the expiration of any period during which a Certificate of Occupation is in force Extension of Certificate of Occupation, and approval of allotment.

(a) approve the allotment by the council of the band and issue a Certificate of Possession if in his opinion the conditions as to use and settlement have been fulfilled, or

(b) refuse approval of the allotment by the council of the band and declare the land in respect of which the Certificate of Occupation was issued to be available for re-allotment by the council of the band.

21. There shall be kept in the Department a register, to be known as the Reserve Land Register, in which shall be entered particulars relating to Certificates of Possession and Certificates of Occupation and other transactions respecting lands in a reserve. Register.

22. Where an Indian who is in possession of lands at the time they are included in a reserve made permanent improvements thereon before that time, he shall be deemed to be in lawful possession of such lands at the time they are so included. Improvements on lands subsequently included in a reserve.

23. An Indian who is lawfully removed from lands in a reserve upon which he has made permanent improvements may, if the Minister so directs, be paid compensation in respect thereof in an amount to be determined by the Minister, either from the person who goes into possession or from the funds of the band, at the discretion of the Minister. Compensation for improvements.

24. An Indian who is lawfully in possession of lands in a reserve may transfer to the band or to another member of the band the right to possession of the land, but no transfer or agreement for the transfer of the right to possession of lands in a reserve is effective until it is approved by the Minister. Transfer of possession.

Transfer
where Indian
ceases to
reside on
reserve.

25. (1) An Indian who ceases to be entitled to reside on a reserve may, within six months or such further period as the Minister may direct, transfer to the band or another member of the band the right to possession of any lands in the reserve of which he was lawfully in possession.

Right of
possession
not trans-
ferred reverts
to band.

(2) Where an Indian does not dispose of his right of possession in accordance with subsection one, the right to possession of the land reverts to the band, subject to the payment to the Indian who was lawfully in possession of the land, from the funds of the band, of such compensation for permanent improvements as the Minister may determine.

Correction
of
Certificates.

26. Whenever a Certificate of Possession or Occupation was, in the opinion of the Minister, issued to or in the name of the wrong person, through mistake, or contains any clerical error or misnomer, or wrong description of any material fact therein, the Minister may cancel the Certificate and issue a corrected Certificate in lieu thereof.

Cancellation
of
Certificates.

27. The Minister may, with the consent of the holder thereof, cancel any Certificate of Possession or Occupation, and may cancel any Certificate of Possession or Occupation that in his opinion was issued through fraud or in error.

Grants, etc.
of reserve
lands void.

28. (1) Subject to subsection two, a deed, lease, contract, instrument, document or agreement of any kind whether written or oral, by which a band or a member of a band purports to permit a person other than a member of that band to occupy or use a reserve or to reside or otherwise exercise any rights on a reserve is void.

Minister may
issue permits.

(2) The Minister may by permit in writing authorize any person for a period not exceeding one year to occupy or use a reserve or to reside or otherwise exercise rights on a reserve.

Reserve
lands exempt
from seizure.

29. Reserve lands are not subject to seizure under legal process.

TRESPASS ON RESERVES.

Penalty for
trespass.

30. A person who trespasses on a reserve is guilty of an offence and is liable on summary conviction to a fine not exceeding fifty dollars or to imprisonment for a term not exceeding one month or to both fine and imprisonment.

Information
by Attorney
General.

31. (1) Without prejudice to section thirty, where an Indian or a band alleges that persons other than Indians are or have been

(a) unlawfully in occupation or possession of,

(b) claiming adversely the right to occupation or possession of, or

(c) trespassing upon

a reserve or part of a reserve, the Attorney General of Canada may exhibit an Information in the Exchequer Court of Canada claiming, on behalf of the Indian or the band, the relief or remedy sought.

(2) An Information exhibited under subsection one shall, for all purposes of the *Exchequer Court Act*, be deemed to be an action or suit by the Crown within the meaning of paragraph (d) of section thirty of that Act.

Information deemed action or suit by Crown. R.S., c. 34.

(3) Nothing in this section shall be construed to impair, abridge or otherwise affect any right or remedy that, but for this section, would be available to His Majesty or to an Indian or a band.

Existing remedies preserved.

SALE OR BARTER OF PRODUCE.

32. (1) A transaction of any kind whereby a band or a member thereof purports to sell, barter, exchange, give or otherwise dispose of cattle or other animals, grain or hay, whether wild or cultivated, or root crops or plants or their products from a reserve in Manitoba, Saskatchewan or Alberta, to a person other than a member of that band, is void unless the superintendent approves the transaction in writing.

Sale or barter of produce prohibited unless superintendent approves

(2) The Minister may at any time by order exempt a band and the members thereof or any member thereof from the operation of this section, and may revoke any such order.

Exemption.

33. Every person who enters into a transaction that is void under subsection one of section thirty-two is guilty of an offence.

Offence.

ROADS AND BRIDGES.

34. (1) A band shall ensure that the roads, bridges, ditches and fences within the reserve occupied by that band are maintained in accordance with instructions issued from time to time by the superintendent.

Band to maintain roads, bridges, etc.

(2) Where, in the opinion of the Minister, a band has not carried out the instructions of the superintendent given under subsection one, the Minister may cause the instructions to be carried out at the expense of the band or any member thereof and may recover the cost thereof from any amounts that are held by His Majesty and are payable to the band or such member.

Minister may maintain roads, bridges, etc.

LANDS TAKEN FOR PUBLIC PURPOSES.

Local
authorities
may take
lands with
consent of
G. in C.

35. (1) Where by an Act of the Parliament of Canada or a provincial legislature His Majesty in right of a province, a municipal or local authority or a corporation is empowered to take or to use lands or any interest therein without the consent of the owner, the power may, with the consent of the Governor in Council and subject to any terms that may be prescribed by the Governor in Council, be exercised in relation to lands in a reserve or any interest therein.

Procedure.

(2) Unless the Governor in Council otherwise directs, all matters relating to compulsory taking or using of lands in a reserve under subsection one shall be governed by the statute by which the powers are conferred.

Grant in
lieu of
compulsory
taking.

(3) Whenever the Governor in Council has consented to the exercise by a province, authority or corporation of the powers referred to in subsection one, the Governor in Council may, in lieu of the province, authority or corporation taking or using the lands without the consent of the owner, authorize a transfer or grant of such lands to the province, authority or corporation, subject to any terms that may be prescribed by the Governor in Council.

Payment

(4) Any amount that is agreed upon or awarded in respect of the compulsory taking or using of land under this section or that is paid for a transfer or grant of land pursuant to this section shall be paid to the Receiver General of Canada for the use and benefit of the band or for the use and benefit of any Indian who is entitled to compensation or payment as a result of the exercise of the powers referred to in subsection one.

SPECIAL RESERVES.

Act applies
to reserves
not vested in
the Crown.

36. Where lands have been set apart for the use and benefit of a band and legal title thereto is not vested in His Majesty, this Act applies as though the lands were a reserve within the meaning of this Act.

SURRENDERS.

No sale etc.
until
surrender

37. Except where this Act otherwise provides, lands in a reserve shall not be sold, alienated, leased or otherwise disposed of until they have been surrendered to His Majesty by the band for whose use and benefit in common the reserve was set apart.

Band may
surrender.

38. (1) A band may surrender to His Majesty any right or interest of the band and its members in a reserve.

(2) A surrender may be absolute or qualified, conditional or unconditional. Absolute or qualified.

39. (1) A surrender is void unless

How
surrender
made.

(a) it is made to His Majesty,

(b) it is assented to by a majority of the electors of the band at

(i) a general meeting of the band called by the council of the band, or

(ii) a special meeting of the band called by the Minister for the purpose of considering a proposed surrender, and

(c) it is accepted by the Governor in Council.

(2) Where a majority of the electors of a band did not vote at a meeting called pursuant to subsection one of this section or pursuant to section fifty-one of the *Indian Act*, chapter ninety-eight of the Revised Statutes of Canada, 1927, the Minister may, if the proposed surrender was assented to by a majority of the electors who did vote, call another meeting by giving thirty days' notice thereof. Minister may call meeting of band.

(3) Where a meeting is called pursuant to subsection two and the proposed surrender is assented to at the meeting by a majority of the members voting, the surrender shall be deemed, for the purpose of this section, to have been assented to by a majority of the electors of the band. Assent of band.

(4) The Minister may, at the request of the council of the band or whenever he considers it advisable, order that a vote at any meeting under this section shall be by secret ballot. Secret ballot.

(5) Every meeting under this section shall be held in the presence of the superintendent or some other officer of the Department designated by the Minister. Officials required.

40. When a proposed surrender has been assented to by the band in accordance with section thirty-nine, it shall be certified on oath by the superintendent or other officer who attended the meeting and by the chief or a member of the council of the band, and shall then be submitted to the Governor in Council for acceptance or refusal. Certification of surrender.

41. A surrender shall be deemed to confer all rights that are necessary to enable His Majesty to carry out the terms of the surrender. Effect of surrender.

DESCENT OF PROPERTY.

Powers of
Minister
with respect
to property of
deceased
Indians.

42. Unless otherwise provided in this Act, all jurisdiction and authority in relation to matters and causes testamentary, with respect to deceased Indians, is vested exclusively in the Minister, and shall be exercised subject to and in accordance with regulations of the Governor in Council.

Particular
powers.

43. Without restricting the generality of section forty-two, the Minister may

- (a) appoint executors of wills and administrators of estates of deceased Indians, remove them and appoint others in their stead,
- (b) authorize executors to carry out the terms of the wills of deceased Indians,
- (c) authorize administrators to administer the property of Indians who die intestate,
- (d) carry out the terms of wills of deceased Indians and administer the property of Indians who die intestate, and
- (e) make or give any order, direction or finding that in his opinion it is necessary or desirable to make or give with respect to any matter referred to in section forty-two.

Courts may
exercise
jurisdiction
with consent
of Minister.

44. (1) The court that would have jurisdiction if the deceased were not an Indian may, with the consent of the Minister, exercise, in accordance with this Act, the jurisdiction and authority conferred in relation to matters and causes testamentary upon the Minister by this Act and any other powers, jurisdiction and authority ordinarily vested in that court.

Minister
may refer
a matter
to the court

(2) The Minister may direct in any particular case that an application for the grant of probate of the will or letters of administration shall be made to the court that would have jurisdiction if the deceased were not an Indian, and the Minister may refer to such court any question arising out of any will or the administration of any estate.

Orders
relating
to lands.

(3) A court that is exercising any jurisdiction or authority under this section shall not without the consent in writing of the Minister enforce any order relating to real property on a reserve.

WILLS.

45. (1) Nothing in this Act shall be construed to prevent or prohibit an Indian from devising or bequeathing his property by will. Indians may make wills.

(2) The Minister may accept as a will any written instrument signed by an Indian in which he indicates his wishes or intention with respect to the disposition of his property upon his death. Form of will.

(3) No will executed by an Indian shall be of any legal force or effect as a disposition of property until the Minister has approved the will or a court has granted probate thereof pursuant to this Act. Probate.

46. (1) The Minister may declare the will of an Indian to be void in whole or in part if he is satisfied that Minister may declare will void.

(a) the will was executed under duress or undue influence,

(b) the testator at the time of execution of the will lacked testamentary capacity,

(c) the terms of the will would impose hardship on persons for whom the testator had a responsibility to provide,

(d) the will purports to dispose of land in a reserve in a manner contrary to the interest of the band or contrary to this Act,

(e) the terms of the will are so vague, uncertain or capricious that proper administration and equitable distribution of the estate of the deceased would be difficult or impossible to carry out in accordance with this Act, or

(f) the terms of the will are against the public interest.

(2) Where a will of an Indian is declared by the Minister or by a court to be wholly void, the person executing the will shall be deemed to have died intestate, and where the will is so declared to be void in part only, any bequest or devise affected thereby, unless a contrary intention appears in the will, shall be deemed to have lapsed. Where will declared void.

APPEALS.

47. (1) A decision of the Minister made in the exercise of the jurisdiction or authority conferred upon him by section forty-two, forty-three or forty-six may, within two months from the date thereof, be appealed by any person affected thereby to the Exchequer Court of Canada, if the amount in controversy in the appeal exceeds five hundred dollars or if the Minister consents to an appeal. Appeal to Exchequer Court.

Rules.

(2) The judges of the Exchequer Court may make rules respecting the practice and procedure governing appeals under this section.

DISTRIBUTION OF PROPERTY ON INTESTACY.

Widow's
share where
net value less
than \$2,000.

48. (1) Where the net value of the estate of an intestate does not, in the opinion of the Minister, exceed in value two thousand dollars, the estate shall go to the widow,

Widow's
share where
estate \$2,000
or more.

(2) Where the net value of the estate of an intestate, in the opinion of the Minister, is two thousand dollars or more, two thousand dollars shall go to the widow, and the remainder shall go as follows, namely,

(a) if the intestate left no issue, the remainder shall go to the widow,

(b) if the intestate left one child, one-half of the remainder shall go to the widow,

(c) if the intestate left more than one child, one-third of the remainder shall go to the widow, and where a child has died leaving issue and such issue is alive at the date of the intestate's death, the widow shall take the same share of the estate as if the child had been living at that date.

Where
children
not provided
for.

(3) Notwithstanding subsections one and two,

(a) where in any particular case the Minister is satisfied that any children of the deceased will not be adequately provided for, he may direct that all or any part of the estate that would otherwise go to the widow shall go to the children, and

Right to
occupy lands.

(b) the Minister may direct that the widow shall have the right, during her widowhood, to occupy any lands on a reserve that were occupied by her deceased husband at the time of his death.

Distribution
to issue.

(4) Where an intestate dies leaving issue his estate shall be distributed, subject to the rights of the widow, if any, *per stirpes* among such issue.

Distribution
to father
and mother.

(5) Where an intestate dies leaving no widow or issue his estate shall go to his father and mother in equal shares if both are living, but if either of them is dead the estate shall go to the survivor.

Distribution
to brothers,
sisters and
issue of
brothers and
sisters.

(6) Where an intestate dies leaving no widow or issue or father or mother his estate shall go to his brothers and sisters in equal shares, and if any brother or sister is dead the

children of the deceased brother or sister shall take the share their parent would have taken if living, but where the only persons entitled are children of deceased brothers and sisters, they shall take *per capita*.

(7) Where an intestate dies leaving no widow, issue, father, mother, brother or sister, and no children of any deceased brother or sister, his estate shall go to his next-of-kin. Next-of-kin.

(8) Where the estate goes to the next-of-kin it shall be distributed equally among the next-of-kin of equal degree of consanguinity to the intestate and those who legally represent them, but in no case shall representation be admitted after brothers' and sisters' children, and any interest in land in a reserve shall vest in His Majesty for the benefit of the band if the nearest of kin of the intestate is more remote than a brother or sister. Distribution amongst next-of-kin.

(9) For the purposes of this section, degrees of kindred shall be computed by counting upward from the intestate to the nearest common ancestor and then downward to the relative, and the kindred of the half-blood shall inherit equally with those of the whole-blood in the same degree. Degrees of kindred

(10) Descendants and relatives of the intestate begotten before his death but born thereafter shall inherit as if they had been born in the lifetime of the intestate and had survived him. Descendants and relatives born after intestate's death.

(11) All such estate as is not disposed of by will shall be distributed as if the testator had died intestate and had left no other estate. Estate not disposed of by will.

(12) No widow is entitled to dower in the land of her deceased husband dying intestate, and no husband is entitled to an estate by curtesy in the land of his deceased wife so dying, and there is no community of real or personal property situated on a reserve. No dower or estate by curtesy.

(13) Illegitimate children and their issue shall inherit from the mother as if the children were legitimate, and shall inherit as if the children were legitimate, through the mother, if dead, any real or personal property that she would have taken, if living, by gift, devise or descent from any other person. Illegitimate children.

(14) Where an intestate, being an illegitimate child, dies leaving no widow or issue, his estate shall go to his mother, if living, but if the mother is dead his estate shall go to the other children of the same mother in equal shares, and where any child is dead the children of the deceased child shall take the share their parent would have taken if living; but where the only persons entitled are children of deceased children of the mother, they shall take *per capita*. Intestate being an illegitimate child.

(15) This section applies in respect of an intestate woman as it applies in respect of an intestate male, and for the purposes of this section the word "widow" includes "widower". "widow" includes "widower."

(16) In this section "child" includes a legally adopted child. "child."

Devisee of
lands not
entitled to
possession
until
possession
approved.

49. A person who claims to be entitled to possession or occupation of lands in a reserve by devise or descent shall be deemed not to be in lawful possession or occupation of that land until the possession is approved by the Minister.

Where devisee
not entitled
to reside on
reserve.

50. (1) A person who is not entitled to reside on a reserve does not by devise or descent acquire a right to possession or occupation of land in that reserve.

Sale by
superinten-
dent.

(2) Where a right to possession or occupation of land in a reserve passes by devise or descent to a person who is not entitled to reside on a reserve, that right shall be offered for sale by the superintendent to the highest bidder among persons who are entitled to reside on the reserve and the proceeds of the sale shall be paid to the devisee or descendant, as the case may be.

Unsold
lands
revert
to band.

(3) Where no tender is received within six months or such further period as the Minister may direct after the date when the right to possession or occupation is offered for sale under subsection two, the right shall revert to the band free from any claim on the part of the devisee or descendant, subject to the payment, at the discretion of the Minister, to the devisee or descendant, from the funds of the band, of such compensation for permanent improvements as the Minister may determine.

Purchaser
not entitled
to possession
until
possession
approved.

(4) The purchaser of a right to possession or occupation of land under subsection two shall be deemed not to be in lawful possession or occupation of the land until the possession is approved by the Minister.

MENTALLY INCOMPETENT INDIANS.

Powers of
Minister
generally.

51. (1) Subject to this section, all jurisdiction and authority in relation to the property of mentally incompetent Indians is vested exclusively in the Minister.

Particular
powers.

(2) Without restricting the generality of subsection one, the Minister may

- (a) appoint persons to administer the estates of mentally incompetent Indians,
- (b) order that any property of a mentally incompetent Indian shall be sold, leased, alienated, mortgaged, disposed of or otherwise dealt with for the purpose of
 - (i) paying his debts or engagements,
 - (ii) discharging encumbrances on his property,
 - (iii) paying debts or expenses incurred for his maintenance or otherwise for his benefit, or
 - (iv) paying or providing for the expenses of future maintenance, and

(c) make such orders and give such directions as he considers necessary to secure the satisfactory management of the estates of mentally incompetent Indians.

(3) The Minister may order that any property situated off a reserve and belonging to a mentally incompetent Indian shall be dealt with under the laws of the province in which the property is situated.

Property off reserve.

GUARDIANSHIP.

52. The Minister may administer or provide for the administration of any property to which infant children of Indians are entitled, and may appoint guardians for such purpose.

Administration of property of infant children.

MANAGEMENT OF RESERVES AND SURRENDERED LANDS.

53. (1) The Minister or a person appointed by him for the purpose may manage, sell, lease or otherwise dispose of surrendered lands in accordance with this Act and the terms of the surrender.

Disposition of surrendered lands.

(2) Where the original purchaser of surrendered lands is dead and the heir, assignee or devisee of the original purchaser applies for a grant of the lands, the Minister may, upon receipt of proof in such manner as he directs and requires in support of any claim for the grant and upon being satisfied that the claim has been equitably and justly established, allow the claim and authorize a grant to issue accordingly.

Grant where original purchaser dead.

(3) No person who is appointed to manage, sell, lease or otherwise dispose of surrendered lands or who is an officer or servant of His Majesty employed in the Department may, except with the approval of the Governor in Council, acquire directly or indirectly any interest in surrendered lands.

Departmental employees not to acquire surrendered lands.

54. Where surrendered lands have been agreed to be sold or otherwise disposed of and Letters Patent relating thereto have not issued, or where surrendered lands have been leased, the purchaser, lessee or other person having an interest in the surrendered lands may, with the approval of the Minister, assign his interest in the surrendered lands or a part thereof to any other person.

Assignments.

55. (1) There shall be kept in the Department a register, to be known as the Surrendered Lands Register, in which shall be entered particulars in connection with any lease or other disposition of surrendered lands by the Minister or any assignment thereof.

Surrendered Lands Register.

(2) A conditional assignment shall not be registered.

Conditional assignment.

(3) Registration of an assignment may be refused until proof of its execution has been furnished.

Proof of execution.

Effect of
registration.

(4) An assignment registered under this section is valid against an unregistered assignment or an assignment subsequently registered.

Certificate
of registration
rendered.

56. Where an assignment is registered there shall be endorsed on the original copy thereof a certificate of registration signed by the Minister or by an officer of the Department authorized by him to sign such certificates.

Regulations.

57. The Governor in Council may make regulations

- (a) authorizing the Minister to grant licences to cut timber on surrendered lands, or, with the consent of the council of the band, on reserve lands,
- (b) imposing terms, conditions and restrictions with respect to the exercise of rights conferred by licences granted under paragraph (a),
- (c) providing for the disposition of surrendered mines and minerals underlying lands in a reserve,
- (d) prescribing the penalty not exceeding one hundred dollars or imprisonment for a term of three months or both fine and imprisonment that may be imposed on summary conviction for violation of any regulation made under this section, and
- (e) providing for the seizure and forfeiture of any timber or minerals taken in violation of any regulation made under this section.

Uncultivated
or unused
lands.

58. (1) Where land in a reserve is uncultivated or unused or remains uncultivated or unused for a period of two years, the Minister may, with the consent of the council of the band,

- (a) improve or cultivate such land and employ persons therefor, authorize and direct the expenditure of so much of the capital funds of the band as he considers necessary for such improvement or cultivation including the purchase of such stock, machinery or material or for the employment of such labour as the Minister considers necessary,
- (b) where the land is in the lawful possession of any individual, grant a lease of such land for agricultural or grazing purposes or for any purpose that is for the benefit of the person in possession, and
- (c) where the land is not in the lawful possession of any individual, grant for the benefit of the band a lease of such land for agricultural or grazing purposes.

Distribution
of proceeds.

(2) Out of the proceeds derived from the improvement or cultivation of lands pursuant to paragraph (b) of subsection one, a reasonable rent shall be paid to the individual in lawful possession of the lands or any part thereof, and the remainder of the proceeds shall be placed to the credit

of the band, but if improvements are made on the lands occupied by an individual, the Minister may deduct the value of such improvements from the rent payable to such individual under this subsection.

(3) The Minister may lease for the benefit of any Indian upon his application for that purpose, the land of which he is lawfully in possession without the land being surrendered.

Lease at request of occupant.

(4) Notwithstanding anything in this Act, the Minister may, without a surrender

Disposition of grass, timber, non-metallic substances, etc.

(a) dispose of wild grass or dead or fallen timber,

(b) with the consent of the council of the band, dispose of sand, gravel, clay and other non-metallic substances upon or under lands in a reserve, or, where such consent cannot be obtained without undue difficulty or delay, may issue temporary permits for the taking of sand, gravel, clay and other non-metallic substances upon or under lands in a reserve, renewable only with the consent of the council of the band,

and the proceeds of such transactions shall be credited to band funds or shall be divided between the band and the individual Indians in lawful possession of the lands in such shares as the Minister may determine.

59. The Minister may, with the consent of the council of a band

Adjustment of contracts.

(a) reduce or adjust the amount payable to His Majesty in respect of a sale, lease or other disposition of surrendered lands or a lease or other disposition of lands in a reserve or the rate of interest payable thereon, and

(b) reduce or adjust the amount payable to the band by an Indian in respect of a loan made to the Indian from band funds.

60. (1) The Governor in Council may at the request of a band grant to the band the right to exercise such control and management over lands in the reserve occupied by that band as the Governor in Council considers desirable.

G. in C. may grant to band control over lands.

(2) The Governor in Council may at any time withdraw from a band a right conferred upon the band under subsection one.

Withdrawal.

MANAGEMENT OF INDIAN MONEYS.

61. (1) Indian moneys shall be expended only for the benefit of the Indians or bands for whose use and benefit in common the moneys are received or held, and subject to this Act and to the terms of any treaty or surrender, the Governor in Council may determine whether any purpose for which Indian moneys are used or are to be used is for the use and benefit of the band.

Indian moneys to be held for use and benefit.

Interest.

(2) Interest upon Indian moneys held in the Consolidated Revenue Fund shall be allowed at a rate to be fixed from time to time by the Governor in Council.

Capital and revenue.

62. All Indian moneys derived from the sale of surrendered lands or the sale of capital assets of a band shall be deemed to be capital moneys of the band and all Indian moneys other than capital moneys shall be deemed to be revenue moneys of the band.

Payments to Indians.

1931, c. 27.

63. Notwithstanding *The Consolidated Revenue and Audit Act, 1931*, where moneys to which an Indian is entitled are paid to a superintendent under any lease or agreement made under this Act, the superintendent may pay the moneys to the Indian.

Expenditure of capital moneys with consent.

64. With the consent of the council of a band, the Minister may authorize and direct the expenditure of capital moneys of the band

- (a) to distribute *per capita* to the members of the band an amount not exceeding fifty per cent of the capital moneys of the band derived from the sale of surrendered lands,
- (b) to construct and maintain roads, bridges, ditches and water courses on the reserves or on surrendered lands,
- (c) to construct and maintain outer boundary fences on reserves,
- (d) to purchase land for use by the band as a reserve or as an addition to a reserve,
- (e) to purchase for the band the interest of a member of the band in lands on a reserve,
- (f) to purchase livestock and farm implements, farm equipment, or machinery for the band,
- (g) to construct and maintain on or in connection with a reserve such permanent improvements or works as in the opinion of the Minister will be of permanent value to the band or will constitute a capital investment,
- (h) to make to members of the band, for the purpose of promoting the welfare of the band, loans not exceeding one-half of the total value of
 - (i) the chattels owned by the borrower, and
 - (ii) the land with respect to which he holds or is eligible to receive a Certificate of Possession, and may charge interest and take security therefor.
- (i) to meet expenses necessarily incidental to the management of lands on a reserve, surrendered lands and any band property, and
- (j) for any other purpose that in the opinion of the Minister is for the benefit of the band.

65. The Minister may pay from capital moneysExpenditure
of capital.

- (a) compensation to an Indian in an amount that is determined in accordance with this Act to be payable to him in respect of land compulsorily taken from him for band purposes, and
- (b) expenses incurred to prevent or suppress grass or forest fires or to protect the property of Indians in cases of emergency.

66. (1) With the consent of the council of a band, the Minister may authorize and direct the expenditure of revenue moneys for any purpose that in his opinion will promote the general progress and welfare of the band or any member of the band.

Expenditure
of revenue
moneys with
consent of
band

(2) The Minister may make expenditures out of the revenue moneys of the band to assist sick, disabled, aged or destitute Indians of the band and to provide for the burial of deceased indigent members of the band.

Minister may
direct
expenditure.

(3) The Governor in Council may authorize the expenditure of revenue moneys of the band for all or any of the following purposes, namely,

Expenditure
of revenue
moneys with
authority of
G. in C.

- (a) for the destruction of noxious weeds and the prevention of the spreading or prevalence of insects, pests or diseases that may destroy or injure vegetation on Indian reserves,
- (b) to prevent, mitigate and control the spread of diseases on reserves, whether or not the diseases are infectious or communicable,
- (c) to provide for the inspection of premises on reserves and the destruction, alteration or renovation thereof,
- (d) to prevent overcrowding of premises on reserves used as dwellings,
- (e) to provide for sanitary conditions in private premises on reserves as well as in public places on reserves, and
- (f) for the construction and maintenance of boundary fences.

67. (1) Where the Minister is satisfied that a male Indian

Maintenance
of
dependents.

- (a) has deserted his wife or family without sufficient cause,
- (b) has conducted himself in such a manner as to justify the refusal of his wife or family to live with him, or
- (c) has been separated by imprisonment from his wife and family,

he may order that payments of any annuity or interest money to which that Indian is entitled shall be applied to the support of the wife or family or both the wife and family of that Indian.

Maintenance
of
illegitimate
child

(2) Where the Minister is satisfied that a female Indian has deserted her husband or family, he may order that payments of any annuity or interest money to which that Indian is entitled shall be applied to the support of her family.

Illegitimate
children.

(3) Where the Minister is satisfied that one or both of the parents of an illegitimate child is an Indian, he may stop payments out of any annuity or interest moneys to which either or both of the parents would otherwise be entitled and apply the moneys to the support of the child, but not so as to prejudice the welfare of any legitimate child of either Indian.

Management
of revenue
moneys by
band.

68. (1) The Governor in Council may by order permit a band to control, manage and expend in whole or in part its revenue moneys and may amend or revoke any such order.

Regulations.

(2) The Governor in Council may make regulations to give effect to subsection one and may declare therein the extent to which this Act and *The Consolidated Revenue and Audit Act, 1931*, shall not apply to a band to which an order made under subsection one applies.

1931, c. 27.

LOANS TO INDIANS.

Loans to
Indians.

69. (1) The Minister of Finance may from time to time advance to the Minister out of the Consolidated Revenue Fund such sums of money as the Minister may require to enable him

(a) to make loans to bands, groups of Indians or individual Indians for the purchase of farm implements, machinery, livestock, motor vehicles, fishing equipment, seed grain, fencing materials, materials to be used in native handicrafts, any other equipment, and gasoline and other petroleum products, or for the making of repairs or the payment of wages, or

(b) to expend or to lend money for the carrying out of co-operative projects on behalf of Indians.

Regulations

(2) The Governor in Council may make regulations to give effect to subsection one.

Accounting.

(3) Expenditures that are made under subsection one shall be accounted for in the same manner as public moneys.

Repayment.

(4) The Minister shall pay to the Minister of Finance all moneys that he receives from bands, groups of Indians or individual Indians by way of repayments of loans made under subsection one.

Limitation.

(5) The total amount of outstanding advances to the Minister under this section shall not at any one time exceed three hundred and fifty thousand dollars.

(6) The Minister shall within fifteen days after the termination of each fiscal year or, if Parliament is not then in session, within fifteen days after the commencement of the next ensuing session thereof, lay before Parliament a report setting out the total number and amount of loans made under subsection one during that year.

Report to
Parliament.

FARMS.

70. (1) The Minister may operate farms on reserves and may employ such persons as he considers necessary to instruct Indians in farming and may purchase and distribute without charge, pure seed to Indian farmers.

Minister
may operate
farms.

(2) The Minister may apply any profits that result from the operation of farms pursuant to subsection one on reserves to extend farming operations on the reserves or to make loans to Indians to enable them to engage in farming or other agricultural operations or he may apply such profits in any way that he considers to be desirable to promote the progress and development of the Indians.

Application
of profits.

TREATY MONEY.

71. Moneys that are payable to Indians or to Indian bands under a treaty between His Majesty and the band and for the payment of which the Government of Canada is responsible, may be paid out of the Consolidated Revenue Fund.

Treaty
money
payable
out of
C.R.F.

REGULATIONS.

72. (1) The Governor in Council may make regulations

- (a) for the protection and preservation of fur-bearing animals, fish and other game on reserves,
- (b) for the destruction of noxious weeds and the prevention of the spreading or prevalence of insects, pests or diseases that may destroy or injure vegetation on Indian reserves,
- (c) for the control of the speed, operation and parking of vehicles on roads within reserves,
- (d) for the taxation, control and destruction of dogs and for the protection of sheep on reserves,
- (e) for the operation, supervision and control of pool rooms, dance halls and other places of amusement on reserves,
- (f) to prevent, mitigate and control the spread of diseases on reserves, whether or not the diseases are infectious or communicable,
- (g) to provide medical treatment and health services for Indians,

Regulations.

- (h) to provide compulsory hospitalization and treatment for infectious diseases among Indians,
- (i) to provide for the inspection of premises on reserves and the destruction, alteration or renovation thereof,
- (j) to prevent overcrowding of premises on reserves used as dwellings,
- (k) to provide for sanitary conditions in private premises on reserves as well as in public places on reserves, and
- (l) for the construction and maintenance of boundary fences.

Penalty.

(2) The Governor in Council may prescribe the penalty, not exceeding a fine of one hundred dollars or imprisonment for a term not exceeding three months or both fine and imprisonment, that may be imposed on summary conviction for violation of a regulation made under subsection one.

Orders and regulations.

(3) The Governor in Council may make orders and regulations to carry out the purposes and provisions of this Act.

ELECTIONS OF CHIEFS AND BAND COUNCILS.

G. in C. may declare chiefs and councillors to be elected.

73. (1) Whenever he deems it advisable for the good government of a band, the Governor in Council may declare by order that after a day to be named therein the council of the band, consisting of a chief and councillors, shall be selected by elections to be held in accordance with this Act.

Composition of council.

(2) The council of a band in respect of which an order has been made under subsection one shall consist of one chief, and one councillor for every one hundred members of the band, but the number of councillors shall not be less than two nor more than twelve and no band shall have more than one chief.

Regulations

(3) The Governor in Council may, for the purposes of giving effect to subsection one, make orders or regulations to provide

- (a) that the chief of a band shall be elected by
 - (i) a majority of the votes of the electors of the band, or
 - (ii) a majority of the votes of the elected councillors of the band from among themselves, but the chief so elected shall remain a councillor,
- (b) that the councillors of a band shall be elected by
 - (i) a majority of the votes of the electors of the band, or
 - (ii) a majority of the votes of the electors of the band in the electoral section in which the candidate resides and that he proposes to represent on the council of the band,

(c) that a reserve shall for voting purposes be divided into not more than six electoral sections containing as nearly as may be an equal number of Indians eligible to vote, and

(d) for the manner in which electoral sections established under paragraph (c) shall be distinguished or identified.

(4) Where the Minister is satisfied that a majority of the electors of a band do not desire to have the reserve divided into electoral sections and reports to the Governor in Council accordingly, the Governor in Council may order that the reserve shall for voting purposes consist of one electoral section.

Single
electoral
section.

74. (1) No person other than an elector who resides in a section may be nominated for the office of councillor to represent that section on the council of the band.

Eligibility.

(2) No person may be a candidate for election as chief or councillor unless his nomination is moved and seconded by persons who are themselves eligible to be nominated.

Nomination.

75. (1) The Governor in Council may make orders and regulations with respect to band elections and, without restricting the generality of the foregoing, may make regulations with respect to

Regulations
governing
elections.

(a) meetings to nominate candidates,

(b) the appointment and duties of electoral officers,

(c) the manner in which voting shall be carried out,

(d) election appeals, and

(e) the definition of residence for the purpose of determining the eligibility of voters.

(2) The regulations made under paragraph (c) of subsection one shall make provision for secrecy of voting.

Secrecy
of voting.

76. (1) A member of a band who is of the full age of twenty-one years and is ordinarily resident on the reserve is qualified to vote for a person nominated to be chief of the band, and where the reserve for voting purposes consists of one section, to vote for persons nominated as councillors.

Eligibility
of voters
for chief.

(2) A member of a band who is of the full age of twenty-one years and is ordinarily resident in a section that has been established for voting purposes is qualified to vote for a person nominated to be councillor to represent that section.

Councillor.

77. (1) Subject to this section, chiefs and councillors shall hold office for two years.

Tenure
of office.

(2) The office of chief or councillor becomes vacant when

Vacancy.

(a) the person who holds that office

(i) is convicted of an indictable offence,

(ii) dies or resigns his office, or

(iii) is or becomes ineligible to hold office by virtue of this Act, or

(b) the Minister declares that in his opinion the person who holds that office

(i) is unfit to continue in office by reason of his having been convicted of an offence,

(ii) has been absent from meetings of the council for three consecutive meetings without being authorized to do so, or

(iii) was guilty, in connection with an election, of corrupt practice, accepting a bribe, dishonesty or malfeasance.

Disqualifi-
cation.

(3) The Minister may declare a person who ceases to hold office by virtue of subparagraph (iii) of paragraph (b) of subsection two to be ineligible to be a candidate for chief or councillor for a period not exceeding six years.

Special
election

(4) Where the office of chief or councillor becomes vacant more than three months before the date when another election would ordinarily be held, a special election may be held in accordance with this Act to fill the vacancy.

Governor
in Council
may set
aside
election.

78. The Governor in Council may set aside the election of a chief or a councillor on the report of the Minister that he is satisfied that

(a) there was corrupt practice in connection with the election,

(b) there was a violation of this Act that might have affected the result of the election, or

(c) a person nominated to be a candidate in the election was ineligible to be a candidate.

Regulations
respecting
band and
council
meetings.

79. The Governor in Council may make regulations with respect to band meetings and council meetings and, without restricting the generality of the foregoing, may make regulations with respect to

(a) presiding officers at such meetings,

(b) notice of such meetings,

(c) the duties of any representative of the Minister at such meetings, and

(d) the number of persons required at the meeting to constitute a quorum.

POWERS OF THE COUNCIL.

By-laws.

80. The council of a band may make by-laws not inconsistent with this Act or with any regulation made by the Governor in Council or the Minister, for any or all of the following purposes, namely,

(a) to provide for the health of residents on the reserve and to prevent the spreading of contagious and infectious diseases,

- (b) the regulation of traffic,
- (c) the observance of law and order,
- (d) the prevention of disorderly conduct and nuisances,
- (e) the protection against and prevention of trespass by cattle and other domestic animals, the establishment of pounds, the appointment of pound-keepers, the regulation of their duties and the provision for fees and charges for their services,
- (f) the construction and maintenance of water courses, roads, bridges, ditches, fences and other local works,
- (g) the dividing the reserve or a portion thereof into zones and the prohibition of the construction or maintenance of any class of buildings or the carrying on of any class of business, trade or calling in any such zone,
- (h) the regulation of the construction, repair and use of buildings, whether owned by the band or by individual members of the band,
- (i) the survey and allotment of reserve lands among the members of the band and the establishment of a register of Certificates of Possession and Certificates of Occupation relating to allotments and the setting apart of reserve lands for common use, if authority therefor has been granted under section sixty,
- (j) the destruction and control of noxious weeds,
- (k) the regulation of beekeeping and poultry raising,
- (l) the construction and regulation of the use of public wells, cisterns, reservoirs and other water supplies,
- (m) the control and prohibition of public games, sports, races, athletic contests and other amusements,
- (n) the regulation of the conduct and activities of hawkers, peddlers or others who enter the reserve to buy, sell or otherwise deal in wares or merchandise,
- (o) the preservation, protection and management of fur-bearing animals, fish and other game on the reserve,
- (p) the removal and punishment of persons trespassing upon the reserve or frequenting the reserve for prescribed purposes,
- (q) with respect to any matter arising out of or ancillary to the exercise of powers under this section, and
- (r) the imposition on summary conviction of a fine not exceeding one hundred dollars or imprisonment for a term not exceeding thirty days or both fine and imprisonment for violation of a by-law made under this section.

81. (1) A copy of every by-law made under the authority of section eighty shall be forwarded by mail by the chief or a member of the council of the band to the Minister within four days after it is made.

Copies of by-laws to be sent to Minister.

Effective
date of
by-law.

(2) A by-law made under section eighty shall come into force forty days after a copy thereof is forwarded to the Minister pursuant to subsection one, unless it is disallowed by the Minister within that period, but the Minister may declare the by-law to be in force at any time before the expiration of that period.

Money
by-laws

82. (1) Without prejudice to the powers conferred by section eighty, where the Governor in Council declares that a band has reached an advanced stage of development, the council of the band may, subject to the approval of the Minister, make by-laws for any or all of the following purposes, namely,

(a) the raising of money by

(i) the assessment and taxation of interests in land in the reserve of persons lawfully in possession thereof, and

(ii) the licencing of businesses, callings, trades and occupations,

(b) the appropriation and expenditure of moneys of the band to defray band expenses,

(c) the appointment of officials to conduct the business of the council, prescribing their duties and providing for their remuneration out of any moneys raised pursuant to paragraph (a),

(d) the payment of remuneration, in such amount as may be approved by the Minister, to chiefs and councillors, out of any moneys raised pursuant to paragraph (a),

(e) the imposition of a penalty for non-payment of taxes imposed pursuant to this section, recoverable on summary conviction, not exceeding the amount of the tax or the amount remaining unpaid, and

(f) with respect to any matter arising out of or ancillary to the exercise of powers under this section.

Restriction
on expen-
ditures.

(2) No expenditures shall be made out of moneys raised pursuant to paragraph (a) of subsection one except under the authority of a by-law of the council of the band.

Recovery
of taxes.

83. Where a tax that is imposed upon an Indian by or under the authority of a by-law made under section eighty-two is not paid in accordance with the by-law, the Minister may pay the amount owing together with an amount equal to one-half of one per cent thereof out of moneys payable out of the funds of the band to the Indian.

G. in C. may
revoke
authority to
make money
by-laws.

84. The Governor in Council may revoke a declaration made under section eighty-two whereupon that section shall no longer apply to the band to which it formerly applied, but any by-law made under the authority of that section

and in force at the time the declaration is revoked shall be deemed to continue in force until it is revoked by the Governor in Council.

85. A copy of a by-law made by the council of a band under this Act, if it is certified to be a true copy by the superintendent, is *prima facie* evidence that the by-law was duly made by the council and approved by the Minister, without proof of the signature or official character of the superintendent, and no such by-law is invalid by reason of any defect in form. Evidence.

TAXATION.

86. (1) Notwithstanding any other Act of the Parliament of Canada or any Act of the legislature of a province, but subject to subsection two of this section and to section eighty-two, the following property is exempt from taxation, namely, Property exempt from taxation.

(a) the interest of an Indian or a band in reserve or surrendered lands, and

(b) the personal property of an Indian or band situated on a reserve,

and no Indian or band is subject to taxation in respect of the ownership, occupation, possession or use of any property mentioned in paragraph (a) or (b) or is otherwise subject to taxation in respect of any such property; and no succession duty, inheritance tax or estate duty is payable on the death of any Indian in respect of any such property or the succession thereto if the property passes to an Indian, nor shall any such property be taken into account in determining the duty payable under *The Dominion Succession Duty Act* on or in respect of other property passing to an Indian. 1940-41, c. 14.

(2) Subsection one does not apply to or in respect of the personal property of an Indian who has executed a waiver under the provisions of paragraph (f) of subsection two of section fourteen of *The Dominion Elections Act, 1938*. Tax exemption not applicable. 1938, c. 46.

LEGAL RIGHTS.

87. Subject to the terms of any treaty and any other Act of the Parliament of Canada, all laws of general application from time to time in force in any province are applicable to and in respect of Indians in the province, except to the extent that such laws are inconsistent with this Act or any order, rule, regulation or by-law made thereunder, and except to the extent that such laws make provision for any matter for which provision is made by or under this Act. General provincial laws applicable to Indians.

88. (1) Subject to this Act, the real and personal property of an Indian or a band situated on a reserve is not subject to charge, pledge, mortgage, attachment, levy, Property on reserve not subject to alienation.

seizure, distress or execution in favour or at the instance of any person other than an Indian.

Conditional
sales.

(2) A person who sells to a band or a member of a band a chattel under an agreement whereby the right of property or right of possession thereto remains wholly or in part in the seller, may exercise his rights under the agreement notwithstanding that the chattel is situated on a reserve.

Property
deemed
situated on
reserve.

89. (1) For the purposes of sections eighty-six and eighty-eight, personal property that was

(a) purchased by His Majesty with Indian moneys or moneys appropriated by Parliament for the use and benefit of Indians or bands, or

(b) given to Indians or to a band under a treaty or agreement between a band and His Majesty, shall be deemed always to be situated on a reserve.

Restriction
on transfer.

(2) Every transaction purporting to pass title to any property that is by this section deemed to be situated on a reserve, or any interest in such property, is void unless the transaction is entered into with the consent of the Minister or is entered into between members of a band or between the band and a member thereof.

Destruction
of property.

(3) Every person who enters into any transaction that is void by virtue of subsection two is guilty of an offence, and every person who, without the written consent of the Minister, destroys personal property that is by this section deemed to be situated on a reserve, is guilty of an offence.

TRADING WITH INDIANS.

Certain
property
on a reserve
may not be
acquired.

90. (1) No person may, without the written consent of the Minister, acquire title to any of the following property situated on a reserve, namely,

(a) an Indian grave house,

(b) a carved grave pole,

(c) a totem pole,

(d) a carved house post, or

(e) a rock embellished with paintings or carvings.

Articles
manufactured
for sale.
Removal,
destruction,
etc.

(2) Subsection one does not apply to chattels referred to therein that are manufactured for sale by Indians.

(3) No person shall remove, take away, mutilate, disfigure, deface or destroy any chattel referred to in subsection one without the written consent of the Minister.

Penalty.

(4) A person who violates this section is guilty of an offence and is liable on summary conviction to a fine not exceeding two hundred dollars or to imprisonment for a term not exceeding three months.

Departmental
employees,
etc.,
prohibited
from trading
without a
licence.

91. (1) No person who is

(a) an officer or employee in the Department,

(b) a missionary engaged in mission work among Indians,

or

(c) a school teacher on a reserve, shall, without a licence from the Minister or his duly authorized representative, trade for profit with an Indian or sell to him directly or indirectly goods or chattels, but no such licence shall be issued to a full-time officer or employee in the Department.

(2) The Minister or his duly authorized representative may at any time cancel a licence given under this section. Cancellation of licence.

(3) A person who violates subsection one is guilty of an offence and is liable on summary conviction to a fine not exceeding five hundred dollars. Penalty.

(4) Without prejudice to subsection three, an officer or employee in the Department who contravenes subsection one may be dismissed from office. Dismissal.

PENALTIES.

92. A person who, without the written permission of the Minister or his duly authorized representative, Removal of material from reserve.

(a) removes from a reserve

(i) minerals, stone, sand, gravel, clay or soil, or

(ii) trees, saplings, shrubs, underbrush, timber, cordwood or hay, or

(b) has in his possession anything removed from a reserve contrary to this section,

is guilty of an offence and is liable on summary conviction to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding three months or to both fine and imprisonment. Offence and penalty.

93. A person who directly or indirectly by himself or by any other person on his behalf knowingly Sale of intoxicants

(a) sells, barter, supplies or gives an intoxicant to

(i) any person on a reserve, or

(ii) an Indian outside a reserve,

(b) opens or keeps or causes to be opened or kept on a reserve a dwelling house, building, tent, or place in which intoxicants are sold, supplied or given to any person, or

(c) makes or manufactures intoxicants on a reserve, is guilty of an offence and is liable on summary conviction to a fine of not less than fifty dollars and not more than three hundred dollars or to imprisonment for a term of not less than one month and not more than six months, with or without hard labour, or to both fine and imprisonment.

94. An Indian who

(a) has intoxicants in his possession,

(b) is intoxicated, or

Possession of intoxicants off a reserve.

(c) makes or manufactures intoxicants off a reserve, is guilty of an offence and is liable on summary conviction to a fine of not less than ten dollars and not more than fifty dollars or to imprisonment for a term not exceeding three months or to both fine and imprisonment.

Exception re
sale of intoxi-
cants.

95. (1) No offence is committed against subparagraph (ii) of paragraph (a) of section ninety-three or paragraph (a) of section ninety-four if intoxicants are sold to an Indian for consumption in a public place in accordance with a law of the province where the sale takes place authorizing the sale of intoxicants to a person for consumption in a public place.

Coming into
force.

(2) This section shall not come into force in any province until a proclamation bringing it into force in the province is issued by the Governor in Council at the request of the Lieutenant-Governor in Council of the province.

Possession of
intoxicants
on a reserve.

96. A person who is found

- (a) with intoxicants in his possession, or
- (b) intoxicated

on a reserve, is guilty of an offence and is liable on summary conviction to a fine of not less than ten dollars and not more than fifty dollars or to imprisonment for a term not exceeding three months or to both fine and imprisonment.

Exception
where
intoxicant
used for
sickness.

97. The provisions of this Act relating to intoxicants do not apply where the intoxicant is used or is intended to be used in cases of sickness or accident.

Onus o.
proof.

98. In any prosecution under this Act the burden of proof that an intoxicant was used or was intended to be used in a case of sickness or accident is upon the accused.

Certificate
of analysis
is evidence.

99. In every prosecution under this Act a certificate of analysis furnished by an analyst employed by the Government of Canada or by a province shall be accepted as *prima facie* evidence of the facts stated therein and of the authority of the person giving or issuing the certificate, without proof of the signature of the person appearing to have signed the certificate or his official character, and without further proof thereof.

Penalty
where no
other
provided.

100. Every person who is guilty of an offence against any provision of this Act or any regulation made by the Governor in Council or the Minister for which a penalty is not provided elsewhere in this Act or the regulations, is liable on summary conviction to a fine not exceeding two hundred dollars or to imprisonment for a term not exceeding three months or to both fine and imprisonment.

101. (1) Whenever a peace officer or a superintendent or a person authorized by the Minister believes on reasonable grounds that an offence against section thirty-three, eighty-nine, ninety-three, ninety-four or ninety-six has been committed, he may seize all goods and chattels by means of or in relation to which he reasonably believes the offence was committed. Seizure of goods.

(2) All goods and chattels seized pursuant to subsection one may be detained for a period of three months following the day of seizure unless during that period proceedings under this Act in respect of such offence are undertaken, in which case the goods and chattels may be further detained until such proceedings are finally concluded. Detention.

(3) Where a person is convicted of an offence against the sections mentioned in subsection one, the convicting court or judge may order that the goods and chattels by means of or in relation to which the offence was committed, in addition to any penalty imposed, are forfeited to His Majesty. Forfeiture

102. Every fine, penalty or forfeiture imposed under this Act belongs to His Majesty for the benefit of the band with respect to which or to one or more members of which the offence was committed or to which the offender, if an Indian, belongs, but the Governor in Council may from time to time direct that the fine, penalty or forfeiture shall be paid to a provincial, municipal or local authority that bears in whole or in part the expense of administering the law under which the fine, penalty or forfeiture is imposed, or that the fine, penalty or forfeiture shall be applied in the manner that he considers will best promote the purposes of the law under which the fine, penalty or forfeiture is imposed, or the administration of that law. Disposition of fines.

103. In any order, writ, warrant, summons or proceeding issued under this Act it shall be sufficient if the name of the person or Indian referred to therein is the name given to, or the name by which the person or Indian is known by, the person who issues the order, writ, warrant, summons or proceedings, and if no part of the name of the person is given to or known by the person issuing the order, writ, warrant, summons or proceedings, it is sufficient if the person or Indian is described in any manner by which he may be identified. Description of Indians in writs, etc.

104. A police magistrate or a stipendiary magistrate shall have and may exercise, with respect to matters arising under this Act, jurisdiction over the whole county, union of counties or judicial district in which the city, town or other Jurisdiction of magistrates.

place for which he is appointed or in which he has jurisdiction under provincial laws is situated.

Appointment
of justices.

105. The Governor in Council may appoint persons to be, for the purposes of this Act, justices of the peace and those persons shall have and may exercise the powers and authority of two justices of the peace with regard to

(a) offences under this Act,

R.S., c. 36.

(b) offences under the *Criminal Code* with respect to inciting Indians on reserves to commit riotous acts, and robbing of Indian graves, and

(c) any offence against the provisions of the *Criminal Code* relating to cruelty to animals, common assault, breaking and entering and vagrancy, where the offence is committed by an Indian or relates to the person or property of an Indian.

Indian agent
ex officio
a J.P.

106. Where, immediately prior to the coming into force of this Act, an Indian agent was *ex officio* a justice of the peace under the *Indian Act*, chapter ninety-eight of the Revised Statutes of Canada, 1927, he shall be deemed, for the purposes of this Act, to have been appointed under section one hundred and five, and he may exercise the powers and authority conferred by that section until his appointment is revoked by the Minister.

Commis-
sioners for
taking oaths

107. For the purposes of this Act or any matter relating to Indian affairs

(a) persons appointed by the Minister for the purpose,

(b) superintendents, and

(c) the Minister, Deputy Minister and the chief officer in charge of the branch of the Department relating to Indian affairs

are *ex officio* commissioners for the taking of oaths.

ENFRANCHISEMENT

Enfranchise-
ment of
Indian and
wife and
minor
children.

108. (1) On the report of the Minister that an Indian has applied for enfranchisement and that in his opinion the Indian

(a) is of the full age of twenty-one years,

(b) is capable of assuming the duties and responsibilities of citizenship, and

(c) when enfranchised, will be capable of supporting himself and his dependants, the Governor in Council may by order declare that the Indian and his wife and minor unmarried children are enfranchised.

(2) On the report of the Minister that an Indian woman married a person who is not an Indian, the Governor in Council may by order declare that the woman is enfranchised as of the date of her marriage. Enfranchisement of married women.

(3) Where, in the opinion of the Minister, the wife of an Indian is living apart from her husband, the names of his wife and his minor children who are living with the wife shall not be included in an order under subsection one that enfranchises the Indian unless the wife has applied for enfranchisement, but where the Governor in Council is satisfied that such wife is no longer living apart from her husband, the Governor in Council may by order declare that the wife and the minor children are enfranchised. Where wife living apart.

(4) A person is not enfranchised unless his name appears in an order of enfranchisement made by the Governor in Council. Order of enfranchisement.

109. A person with respect to whom an order for enfranchisement is made under section one hundred and eight shall, from the date thereof, be deemed not to be an Indian within the meaning of this Act or any other statute or law. Enfranchised person ceases to be Indian.

110. (1) Upon the issue of an order of enfranchisement, any interest in land and improvements on an Indian reserve of which the enfranchised Indian was in lawful possession or over which he exercised rights of ownership, at the time of his enfranchisement, may be disposed of by him by gift or private sale to the band or another member of the band, but if not so disposed of within thirty days after the date of the order of enfranchisement such land and improvements shall be offered for sale by tender by the superintendent and sold to the highest bidder and the proceeds of such sale paid to him; and if no bid is received and the property remains unsold after six months from the date of such offering, the land, together with improvements, shall revert to the band free from any interest of the enfranchised person therein, subject to the payment, at the discretion of the Minister, to the enfranchised Indian, from the funds of the band, of such compensation for permanent improvements as the Minister may determine. Sale of lands of enfranchised Indian.

(2) When an order of enfranchisement issues or has issued, the Governor in Council may, with the consent of the council of the band, by order declare that any lands within a reserve of which the enfranchised Indian had formerly been in lawful possession shall cease to be Indian reserve lands. Grant to enfranchised Indian.

(3) When an order has been made under subsection two, the enfranchised Indian is entitled to occupy such lands for a period of ten years from the date of his enfranchisement, and the enfranchised Indian shall pay to the funds of the band, or there shall, out of any money payable to the enfranchised Indian under this Act, be transferred to the funds of the band, such amount per acre for the lands as the Minister considers to be the value of the common interest of the band in the lands.

(4) At the end of the ten-year period referred to in subsection three the Minister shall cause a grant of the lands to be made to the enfranchised Indian or to his legal representatives.

Enfranchise-
ment of
band.

111. (1) Where the Minister reports that a band has applied for enfranchisement, and has submitted a plan for the disposal or division of the funds of the band and the lands in the reserve, and in his opinion the band is capable of managing its own affairs as a municipality or part of a municipality, the Governor in Council may by order approve the plan, declare that all the members of the band are enfranchised, either as of the date of the order or such later date as may be fixed in the order, and may make regulations for carrying the plan and the provisions of this section into effect.

Majority
vote
required.

(2) An order for enfranchisement may not be made under subsection one unless more than fifty per cent of the electors of the band signify, at a meeting of the band called for the purpose, their willingness to become enfranchised under this section, and their approval of the plan.

Agreements
with
provinces or
municipalities.

(3) The Governor in Council may, for the purpose of giving effect to this section, authorize the Minister to enter into an agreement with a province or a municipality, or both, upon such terms as may be agreed upon by the Minister and the province or municipality, or both.

Financial
assistance.

(4) Without restricting the generality of subsection three, an agreement made thereunder may provide for financial assistance to be given to the province or the municipality or both to assist in the support of indigent, infirm or aged persons to whom the agreement applies, and such financial assistance, or any part thereof, shall, if the Minister so directs, be paid out of moneys of the band, and any such financial assistance not paid out of moneys of the band shall be paid out of moneys appropriated by Parliament.

Committee
of inquiry.

112. (1) The Minister may appoint a committee to inquire into and report upon the desirability of enfranchising within the meaning of this Act an Indian or a band, whether or not the Indian or the band has applied for enfranchisement.

Composition.

(2) A committee appointed under subsection one shall consist of

(a) a judge or retired judge of a superior, surrogate, district or county court,

(b) an officer of the Department, and

(c) a member of the band to be appointed by the council of the band, but if no appointment is made by the council of the band within thirty days after a request therefor is sent by the Minister to the band, a member of the band appointed by the Minister.

(3) Where the committee or a majority thereof reports

Report of committee.

(a) in the case of an Indian, that in its opinion the Indian is qualified under paragraphs (a), (b) and (c) of subsection one of section one hundred and eight to be enfranchised,

(b) in the case of a band, that in the opinion of the committee the band is capable of managing its own affairs as a municipality or part of a municipality, and the committee has submitted a plan for the disposal or division of the funds of the band and the lands in the reserve, and

(c) that it is desirable that the Indian or the band, as the case may be, should be enfranchised,

the report, if approved by the Minister, shall be deemed to be an application for enfranchisement by the Indian or by the band and shall be dealt with as such in accordance with this Act, except that, in the case of a band, the provisions of subsection two of section one hundred and eleven, are not applicable.

(4) An Indian or the members of a band shall not be enfranchised under this section contrary to the terms of any treaty, agreement or undertaking between a band and His Majesty that is applicable.

Treaty to be observed.

SCHOOLS.

113. The Governor in Council may authorize the Minister, in accordance with this Act, Schools.

(a) to establish, operate and maintain schools for Indian children,

(b) to enter into agreements on behalf of His Majesty for the education in accordance with this Act of Indian children, with

(i) the government of a province,

(ii) the council of the Northwest Territories,

(iii) the council of the Yukon Territory,

(iv) a public or separate school board, and

(v) a religious or charitable organization.

114. The Minister may

(a) provide for and make regulations with respect to standards for buildings, equipment, teaching, education, inspection and discipline in connection with schools, Regulations.

- (b) provide for the transportation of children to and from school,
- (c) enter into agreements with religious organizations for the support and maintenance of children who are being educated in schools operated by those organizations, and
- (d) apply the whole or any part of moneys that would otherwise be payable to or on behalf of a child who is attending a residential school to the maintenance of that child at that school.

Attendance.

115. (1) Subject to section one hundred and sixteen, every Indian child who has attained the age of seven years shall attend school.

Idem.

- (2) The Minister may
 - (a) permit an Indian who has attained the age of six years to attend school,
 - (b) require an Indian who becomes sixteen years of age during the school term to continue to attend school until the end of that term, and
 - (c) require an Indian who becomes sixteen years of age to attend school for such further period as the Minister considers advisable, but no Indian shall be required to attend school after he becomes eighteen years of age.

When
attendance
not
required.

116. An Indian child is not required to attend school if the child

- (a) is, by reason of sickness or other unavoidable cause that is reported promptly to the principal, unable to attend school,
- (b) has passed entrance examinations for high school,
- (c) is, with the permission in writing of the superintendent, absent from school for a period not exceeding six weeks in each term for the purpose of assisting in husbandry or urgent and necessary household duties,
- (d) is under efficient instruction at home or elsewhere, within one year after the written approval by the Minister of such instruction, or
- (e) is unable to attend school because there is insufficient accommodation in the school that the child is entitled or directed to attend.

School to be
attended.

117. Every Indian child who is required to attend school shall attend such school as the Minister may designate, but no child whose parent is a Protestant shall be assigned to a school conducted under Roman Catholic auspices and no child whose parent is a Roman Catholic shall be assigned to a school conducted under Protestant auspices, except by written direction of the parent.

118. (1) The Minister may appoint persons, to be called Truant officers. truant officers, to enforce the attendance of Indian children at school, and for that purpose a truant officer shall have the powers of a peace officer.

(2) Without restricting the generality of subsection one, Powers. a truant officer may

(a) enter any place where he believes, on reasonable grounds, that there are Indian children who are between the ages of seven and sixteen years of age, or who are required by the Minister to attend school,

(b) investigate any case of truancy, and

(c) serve written notice upon the parent, guardian or other person having the care or legal custody of a child to cause the child to attend school regularly thereafter.

(3) Where a notice has been served in accordance with paragraph (c) of subsection two with respect to a child who is required by this Act to attend school, and the child does not within three days after the service of notice attend school and continue to attend school regularly thereafter, the person upon whom the notice was served is guilty of an offence and is liable on summary conviction to a fine of not more than five dollars or to imprisonment for a term not exceeding ten days or to both fine and imprisonment. Notice to attend school.

(4) Where a person has been served with a notice in accordance with paragraph (c) of subsection two, it is not necessary within a period of twelve months thereafter to serve that person with any other notice in respect of further non-compliance with the provisions of this Act, and whenever such person within the period of twelve months fails to cause the child with respect to whom the notice was served or any other child of whom he has charge or control to attend school and continue in regular attendance as required by this Act, such person is guilty of an offence and liable to the penalties imposed by subsection three as if he had been served with the notice. No further notices required within one year of previous notice.

(5) A child who is habitually late for school shall be deemed to be absent from school. Tardiness.

(6) A truant officer may take into custody a child whom he believes on reasonable grounds to be absent from school contrary to this Act and may convey the child to school, using as much force as the circumstances require. Take into custody.

119. An Indian child who

(a) is expelled or suspended from school, or

Child who is expelled or fails to attend deemed juvenile delinquent

1929, c. 46.

(b) refuses or fails to attend school regularly, shall be deemed to be a juvenile delinquent within the meaning of *The Juvenile Delinquents Act, 1929*.

Denomination of teacher.

120. (1) Where the majority of the members of a band belongs to one religious denomination the school established on the reserve that has been set apart for the use and benefit of that band shall be taught by a teacher of that denomination.

Idem

(2) Where the majority of the members of a band are not members of the same religious denomination and the band by a majority vote of those electors of the band who were present at a meeting called for the purpose requests that day schools on the reserve should be taught by a teacher belonging to a particular religious denomination, the school on that reserve shall be taught by a teacher of that denomination.

Minority religious denominations.

121. A Protestant or Roman Catholic minority of any band may, with the approval of and under regulations to be made by the Minister, have a separate day school or day school classroom established on the reserve unless, in the opinion of the Governor in Council, the number of children of school age does not so warrant.

Definitions.

122. In sections one hundred and thirteen to one hundred and twenty-one

"child."

(a) "child" means an Indian who has attained the age of six years but has not attained the age of sixteen years, and a person who is required by the Minister to attend school,

"school."

(b) "school" includes a day school, technical school, high school and residential school, and

"truant officer."

(c) "truant officer" includes

(i) a member of the Royal Canadian Mounted Police,

(ii) a special constable appointed for police duty on a reserve, and

(iii) a school teacher and a chief of the band, when authorized by the superintendent.

REPEAL.

Repeal

123. (1) Section one of the *Indian Act*, chapter ninety-eight of the Revised Statutes of Canada, 1927, is repealed and the following substituted therefor:

Short title.

"**1.** This Act may be cited as the *Indian (Soldier Settlement) Act*."

(2) Sections two to one hundred and eighty-six of the said Act are repealed. Repeal.

(3) Where in sections one hundred and eighty-seven to one hundred and ninety of the said Act References.

(a) reference is made to the *Indian Act*, it shall be deemed to be a reference to this Act, and

(b) reference is made to the Superintendent General or Deputy Superintendent General of Indian Affairs, it shall be deemed to be a reference to the Minister.

PRIOR GRANTS.

124. Where, prior to the coming into force of this Act, Prior grants deemed authorized.

(a) a reserve or portion of a reserve was released or surrendered to the Crown pursuant to Part I of the *Indian Act*, chapter ninety-eight of the Revised Statutes of Canada, 1927, or pursuant to the provisions of the statutes relating to the release or surrender of reserves in force at the time of the release or surrender,

(b) Letters Patent under the Great Seal of Canada were issued purporting to grant a reserve or portion of a reserve so released or surrendered, or any interest therein, to any person, and

(c) the Letters Patent have not been declared void or inoperative by any Court of competent jurisdiction, the Letters Patent shall, for all purposes, be deemed to have been issued at the date thereof under the direction of the Governor in Council.

COMING INTO FORCE.

125. This Act shall come into force on a day to be fixed by proclamation of the Governor in Council. Coming into force.

15 GEORGE VI.

CHAP. 30.

An Act to amend The Juvenile Delinquents Act, 1929.

[Assented to 20th June, 1951.]

1929, c. 46;
1932, c. 17;
1935, c. 41;
1936, c. 40;
1949 (1st
Sess.), c. 6.

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. Paragraph (a) of section two of *The Juvenile Delinquents Act, 1929*, chapter forty-six of the statutes of 1929, is repealed and the following substituted therefor:

“(a) ‘child’ means any boy or girl apparently or actually under the age of sixteen years, or such other age as may be directed in any province pursuant to subsection two;”

2. Section two of the said Act is further amended by adding thereto the following subsection:

“(2) The Governor in Council may from time to time by proclamation

(a) direct that in any province the expression ‘child’ in this Act means any boy or girl apparently or actually under the age of eighteen years, and any such proclamation may apply either to boys only or to girls only or to both boys and girls; and

(b) revoke any direction made with respect to any province by a proclamation under this section, and thereupon the expression ‘child’ in this Act in that province means any boy or girl apparently or actually under the age of sixteen years.”

15 GEORGE VI.

CHAP. 31.

An Act respecting Units of Length and Mass.

[Assented to 20th June, 1951.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

SHORT TITLE.

1. This Act may be cited as *The Length and Mass Units Act*. Short title.

UNITS OF LENGTH AND MASS.

2. (1) The units of length and mass for Canada are based upon the international metre and the international kilogramme established in the year 1889 by the first International Conference of Weights and Measures and deposited at the International Bureau of Weights and Measures. Units of length and mass.

(2) The standard unit of length for Canada is the yard, which is nine thousand, one hundred and forty-four ten-thousandths of the international metre. Length.

(3) The standard unit of mass for Canada is the pound, which is forty-five million, three hundred and fifty-nine thousand, two hundred and forty-three one-hundred-millionths of the international kilogramme. Mass.

STANDARDS.

3. (1) The National Research Council shall maintain standards of length and mass calibrated in terms of the units defined in this Act. N.R.C. to maintain standards.

(2) Reference standards for the purposes of the *Weights and Measures Act* shall be certified by the National Research Council as having been calibrated in terms of the units defined in this Act. Reference standards R.S., c. 212.

15 GEORGE VI.

CHAP. 32.

An Act to amend The National Housing Act, 1944.

[Assented to 20th June, 1951.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1944-45, c. 46;
1945, (2nd
Sess.), c. 26;
1946, c. 61;
1947, c. 40;
1947-48, c. 63;
1949 (1st
Sess.), c. 6;
1949 (2nd
Sess.), c. 30;
1950, c. 50.

1. *The National Housing Act, 1944*, chapter forty-six of the statutes of 1944-45, is amended by adding thereto, immediately after section three B thereof as enacted by section two of chapter forty of the statutes of 1947, the following section:

"3c. (1) Subject to subsection two, the Governor in Council may by regulation prescribe the maximum rate of interest payable by a borrower in respect of a loan made under this Act.

Governor in
Council may
prescribe
interest rate.

(2) The rate of interest prescribed under subsection one shall not exceed the interest rate on long term Government bonds

Maximum
rate.

(a) by more than two per centum in respect of loans made under section four, eight or fourteen,

(b) by more than one and three-quarters per centum in respect of loans made under section eight B,

(c) by more than one-half of one per centum in respect of loans made under section nine, and

(d) by more than one and one-half per centum in respect of loans made under section nine A.

(3) In this section 'interest rate on long term Government bonds' means the average rate of interest return yielded by Government of Canada bonds, outstanding at the time the maximum rate of interest is prescribed under subsection one, that will not mature and cannot be called for payment for at least twelve years after such time."

Meaning of
"interest
rate on long
term Govern-
ment bonds".

2. Paragraph (e) of subsection two of section four of the said Act, as enacted by section nine of chapter twenty-six of the statutes of 1945 (second session), is repealed and the following substituted therefor:

Interest rate
on joint loan.

“(e) the rate of interest payable by the borrower in respect of a joint loan shall not be in excess of a rate prescribed by the Governor in Council, and no other charge in respect of the said loan shall be payable by the borrower except as may be authorized by regulation;”

3. Paragraph (d) of subsection two of section eight of the said Act, as enacted by section fifteen of chapter sixty-one of the statutes of 1946, is repealed and the following substituted therefor:

“(d) the rate of interest payable by the borrower in respect of a joint loan shall not be in excess of a rate prescribed by the Governor in Council, and no other charge in respect of the said loan shall be payable by the borrower except as may be authorized by regulation;”

4. Subsection two of section nine of the said Act, as enacted by section fifteen of chapter sixty-one of the statutes of 1946, is repealed and the following substituted therefor:

Interest,
amount and
term of
loan.

“(2) A loan made under the authority of this section shall bear interest at a rate prescribed by the Governor in Council, shall not exceed ninety per centum of the lending value of the project, shall be for a term not exceeding the useful life of the project to be fixed by the Corporation and in any case not exceeding fifty years from the date of completion of the project and shall be secured by a first mortgage or hypothec upon the project in favour of His Majesty.”

5. Paragraph (e) of subsection four of section nine of the said Act, as enacted by section fifteen of chapter sixty-one of the statutes of 1946, is repealed and the following substituted therefor:

“(e) the company shall make to the Corporation promptly on the due dates the payments required to be made in order to pay the interest on and amortize the loan during the term thereof;”

6. Subsection three of section nine A of the said Act, as enacted by section fifteen of chapter sixty-one of the statutes of 1946, is repealed and the following substituted therefor:

Interest,
amount and
term of
loan.

“(3) A loan made under this section shall bear interest at a rate prescribed by the Governor in Council, shall not exceed eighty per centum of the lending value of the project, shall be for a term not exceeding the useful life of the project to be fixed by the Corporation and in any case not exceeding fifteen years from the date of completion of the project.

7. Paragraph (a) of subsection seven of section nine A of the said Act, as enacted by section fifteen of chapter sixty-one of the statutes of 1946, is repealed and the following substituted therefor:

“(a) the borrower shall make to the Corporation promptly on the due dates the payments required to be made in order to pay the interest on and amortize the loan during the term thereof;”

8. Paragraph (f) of subsection two of section fourteen of the said Act, as enacted by section nineteen of chapter sixty-one of the statutes of 1946, is repealed and the following substituted therefor:

“(f) the rate of interest payable by the borrower in respect of a joint loan shall not be in excess of a rate prescribed by the Governor in Council, and no other charge in respect of the said loan shall be payable by the borrower except as may be authorized by regulation;”

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15 GEORGE VI.

CHAP. 33.

An Act to amend the Petition of Right Act.

[Assented to 20th June, 1951.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— R.S., c. 158.

1. Sections four and five of the *Petition of Right Act*, chapter one hundred and fifty-eight of the Revised Statutes of Canada, 1927, are repealed and the following substituted therefor:

“4. (1) The original and two copies of the petition, with an endorsement thereon to the effect of form B in the Schedule to this Act, shall be filed in the Exchequer Court of Canada, which Court has exclusive original cognizance of petitions of right. Filing of petition.

(2) The sum of two dollars shall be paid to the Registrar of the Court as a fee on the filing of the petition. Fee.

(3) The original and two copies of the petition may be filed as required by subsection one by being forwarded, together with a remittance for the filing fee, by registered and prepaid mail addressed to ‘The Registrar, The Exchequer Court of Canada, Ottawa, Ontario’. Mailing.

“5. (1) When the original and two copies of a petition have been filed and the filing fee has been paid, as required by section four, the Registrar of the Court shall, after verifying the accuracy of the copies, forthwith, on behalf of the suppliant, serve the petition on His Majesty by transmitting the copies to the office of the Deputy Attorney General of Canada. Service.

(2) When the copies have been transmitted to the office of the Deputy Attorney General of Canada under subsection one, a certificate signed by or on behalf of the Registrar as to the date of filing and the date of transmission of the copies shall be delivered, or forwarded by registered and prepaid mail, to the suppliant or the suppliant’s counsel or Certificate of filing and service.

olicitor at the address appearing on the petition of right or such other address as may have been communicated to the Registrar for the purpose.

Certificate
prima facie
evidence.

(3) A certificate under subsection two is *prima facie* proof of the date of filing and the date of service of the petition of right referred to in the certificate.

Rules.

(4) A suppliant shall not be required to have an address for service in Ottawa and the judges of the Exchequer Court shall make such general rules and orders as they consider advisable to permit service of pleadings, notices and other documents in petition of right proceedings by registered mail in lieu of personal service."

2. Subsection one of section seven of the said Act is repealed and the following substituted therefor:

Service
on other
persons.

"7. (1) If the petition is presented for the recovery of real or personal property or an interest in real or personal property and the property has been granted away or otherwise disposed of by or on behalf of His Majesty, a copy of the petition, endorsed with a notice to the effect of form C in the Schedule to this Act, shall be served upon or left at the last or usual or last known place of abode of the person in the possession or occupation of such property or right."

Repeal.

3. Sections thirteen and fourteen of the said Act are repealed.

Repeal.

4. Form D in the Schedule to the said Act is repealed.

Coming
into force.

5. This Act shall come into force on a day to be fixed by proclamation of the Governor in Council.

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15 GEORGE VI.

CHAP. 34.

An Act to amend the Prisons and Reformatories Act.

[Assented to 20th June, 1951.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

R.S., c. 163;
1928, c. 41;
1931, c. 46;
1947, c. 68;
1947-48, c. 26;
1950, cc. 49, 11.

1. Section eighteen of the *Prisons and Reformatories Act*, chapter one hundred and sixty-three of the Revised Statutes of Canada, 1927, is repealed and the following substituted therefor:

“18. The Governor in Council may, by proclamation published in the *Canada Gazette*, declare sections nineteen, twenty and twenty-one in force in a province from and after a day and with respect to a prison named in such proclamation, where

Conditions on which sections 19, 20 and 21 may be declared in force.

(a) the prison is, in his opinion, of such a character as to render practicable the application of the said sections to it, and

(b) rules for keeping a correct record of the daily conduct of every prisoner in such prison, noting his behaviour, industry, diligence and faithfulness and the strictness with which he observes the prison regulations, have in the case of a prison in a province, other than the Northwest Territories or the Yukon Territory, been made by the Lieutenant Governor of such province and declared adequate by the Governor in Council or have, in the case of a prison in the Northwest Territories or the Yukon Territory, been made by the Governor in Council.”

2. The said Act is further amended by adding thereto the following Part:

"PART X.

"ALBERTA.

"Application of Part.

Application. "161. This Part applies only to the Province of Alberta.

"Interpretation

"certified institution" defined.

"162. In this Part, unless the context otherwise requires, "certified institution" means any industrial school or other institution in the province of Alberta certified under *The Gaols and Prisons Act* of the province of Alberta as a gaol reformatory or other institution.

"The Bowden Institution.

Imprisonment in Bowden Institution.

"163. (1) Every person confined in any one of the common gaols of the province under sentence of imprisonment for any offence against the laws of Canada or of the province may, by warrant signed by the Inspector of Gaols or by such other officer as is authorized by the Lieutenant-Governor in Council in that behalf, be transferred from such common gaol to the Bowden Institution or to a certified institution, there to be imprisoned for the unexpired portion of the term of imprisonment to which such person was originally sentenced.

Custody there.

(2) Such person shall thereupon be imprisoned in the Bowden Institution or other certified institution for the residue of such term unless in the meantime he is lawfully discharged or removed, and shall be subject to all the rules and regulations of the Bowden Institution or other certified institution, as the case may be.

Offender to be received.

"164. The superintendent or warden of the Bowden Institution or other certified institution, as the case may be, shall receive every offender so transferred and every offender legally certified to him as sentenced to imprisonment therein, and shall detain him subject to all the rules and regulations and discipline of their respective institutions until the term for which he has been sentenced is completed or until he is otherwise paroled or discharged according to law.

"165. The Lieutenant-Governor in Council may, from time to time, authorize, direct or sanction the employment upon any specific work or duty without or beyond the limits of the Bowden Institution or other certified institution of any of the prisoners confined or sentenced to be imprisoned therein or transferred thereto, as herein provided.

Employment
of
offenders.

"166. The Inspector of Gaols, the superintendent or warden of the Bowden Institution or other certified institution, or such other officer as is authorized by the Lieutenant-Governor in Council, as the case may be, may from time to time, by warrant, direct the removal of any offender from the Bowden Institution or other certified institution to any of the common gaols of the province or to any other certified institution within the province."

Transfer
of
offenders.

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15 GEORGE VI.

CHAP. 35.

An Act to amend the Quebec Savings Banks Act.

[Assented to 20th June, 1951.]

R.S., c. 14;
1932-33, c. 28;
1934, c. 39;
1944-45, cc. 20,
47;
1947-48, c. 65.

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Paragraph (c) of section thirty-five A of the *Quebec Savings Banks Act*, chapter fourteen of the Revised Statutes of Canada, 1927, as enacted by section eleven of chapter forty-seven of the statutes of 1944-45, is repealed and the following substituted therefor:

Investments
in corporate
bonds or
debentures.

“(c) the corporation has paid a dividend, in each year of a period of five years ended less than one year before the date of investment, upon its common shares of at least four per centum of the average value at which the shares were carried in the capital stock account of the corporation during the year in which the dividend was paid”

2. Subparagraph (iii) of paragraph (d) of section thirty-eight of the said Act, as enacted by section one of chapter sixty-five of the statutes of 1947-48, is repealed and the following substituted therefor:

Loans
without
collateral
security.

“(iii) the corporation has paid a dividend, in each year of a period of five years ended less than one year before the date of the loan, upon its common shares of at least four per centum of the average value at which the shares were carried in the capital stock account of the corporation during the year in which the dividend was paid; or”

3. Subsection one of section thirty-nine of the said Act, as enacted by section two of chapter sixty-five of the statutes of 1947-48, is repealed and the following substituted therefor:

“39. (1) The bank may, subject to this Act, lend money to any person on the security of a first mortgage or hypothec on improved real or immovable property if

Loans on
first
mortgage.

- (a) the loan is authorized by a resolution of the board of directors of the bank; and
- (b) with the exception of loans made under *The National Housing Act, 1944*, the loan does not exceed sixty per centum of the value of the real or immovable property on which the mortgage or hypothec is taken, but the aggregate amount of the loans made by the bank under this section shall not at any time exceed ten per centum of its deposit liabilities."

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15 GEORGE VI.

CHAP 36.

An Act respecting Weights and Measures.

[Assented to 20th June, 1951.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

SHORT TITLE.

1. This Act may be cited as *The Weights and Measures Act*. Short title.

INTERPRETATION.

2. In this Act,

- | | |
|--|------------------------------|
| (a) "inspector" means an inspector of weights and measures appointed under this Act, and includes any person authorized by the Minister to perform the duties of an inspector; | Definitions.
"inspector" |
| (b) "manufacturer" includes a person who assembles component parts whether manufactured by him or not; | "manu-
facturer". |
| (c) "measure", with respect to a linear or volume measuring device, means a static measure having no moving parts incorporated therein, but includes a roller tape-measure of any material; | "measure". |
| (d) "measuring machine" means a measuring device having any moving part incorporated therein or associated therewith, and includes a tank or other receptacle having a tap or other mechanical means of discharge; | "measuring
machine". |
| (e) "Minister" means the Minister of Trade and Commerce; | "Minister". |
| (f) "pound" means the Canadian standard pound defined in <i>The Length and Mass Units Act</i> and set forth in Schedule II; | "pound".
1950, c. 31. |
| (g) "pre-packaged goods" means goods packaged in a wrapper or container ready for retail sale; and, if | "pre-
packaged
goods". |

goods packaged in a wrapper or container are found in premises where such goods are packaged or kept for sale, they shall *prima facie* be deemed to be packaged ready for retail sale;

- "trade". (h) "trade" means dealing in goods, wares or merchandise sold by weight or measure, or performing the service of weighing or measuring, or performing a service for which payment is determined by weight or measure;
- "trader". (i) "trader" means any person engaged in trade; and
- "yard". (j) "yard" means the Canadian standard yard defined in *The Length and Mass Units Act* and set forth in Schedule II.

STANDARDS OF WEIGHTS AND MEASURES.

Uniformity. 3. Except as otherwise provided in this Act, the weights and measures used throughout Canada shall be uniform.

Reference standards. 4. The standards of measure and weight, more particularly described in Schedule I, that by the *Weights and Measures Act*, chapter two hundred and twelve of the Revised Statutes of Canada, 1927, were designated as departmental standards and have been calibrated and certified by the National Research Council under *The Length and Mass Units Act*, shall remain in the custody of the Minister and shall be known as reference standards of weight and measure.

Local standards. 5. Local standards derived from the reference standards and compared and verified under the direction of the Minister in accordance with this Act shall be used by inspectors for the purpose of inspection and verification of weights and measures and for any other purpose prescribed or authorized by this Act.

Former Dominion standards. 6. The bronze bar and platinum-iridium weights, more particularly described in Schedule IV, that were placed in the custody of the Minister of Inland Revenue as provided in *An Act respecting Weights and Measures*, chapter forty-seven of the statutes of 1873, and at the coming into force of this Act were in the custody of the Minister, and the Parliamentary copies thereof, more particularly described in Schedule IV, that were placed in the custody of the Speaker of the Senate as provided in that Act and at the coming into force of this Act were in the custody of the Speaker of the Senate, shall, subject to any order of the Governor in Council as to the custody thereof, be preserved in the custody of the National Research Council.

7. The Minister shall, from time to time, cause to be made such new denominations of reference standards as are required in addition to those mentioned in Schedule I and shall cause them to be calibrated and certified by the National Research Council, and may cause local standards derived therefrom to be made for use by inspectors. New denominations.

8. The Governor in Council may declare that a reference standard of any denomination shall cease to be a reference standard. Cancellation of reference standard.

CANADIAN MEASURES OF LENGTH.

9. (1) The yard is the only unit or standard measure of extension from which all other Canadian measures of extension, whether of length, of surface or of volume, are derived. Standard yard.

(2) One-third of the yard is a foot and the twelfth part of a foot is an inch. Foot and inch.

(3) The rod, pole or perch, in length, contains five and one-half yards. Rod.

(4) The chain contains twenty-two yards, and the link is the one-hundredth part of the chain. Chain.

(5) The furlong contains two hundred and twenty yards. Furlong.

(6) The mile contains one thousand seven hundred and sixty yards. Mile.

10. (1) The rood of land contains one thousand two hundred and ten square yards. Rood.

(2) The acre of land contains four thousand eight hundred and forty square yards. Acre.

(3) The cord contains one hundred and twenty-eight cubic feet. Cord.

11. (1) In the province of Quebec, the measures of length and superficies for all land comprised in those parts of the province originally granted under the seigniorial tenure, are French measure, the ratio and proportion of which to the Canadian standard measures are as follows, that is to say:— Measures for seigniorial lands in Quebec.

(a) the foot, French measure or Paris foot, contains twelve inches and seven hundred and eighty-nine thousandths of an inch; French foot.

(b) the arpent, when used as a measure of length, is one hundred and eighty French feet and, when used as a measure of superficies, is thirty-two thousand four hundred square French feet; Arpent.

(c) the perch, as a measure of length, contains eighteen French feet; and, as a measure of superficies, contains three hundred and twenty-four square French feet. Perch.

Application. (2) The provisions of this section apply only to territorial measurement.

Toise and aune. (3) The French measure toise and aune shall not be used.

CANADIAN MEASURES OF WEIGHT AND CAPACITY.

Standard pound. **12.** (1) The pound is the only unit or standard measure of weight from which all other Canadian weights and measures having reference to weight are derived.

Ounce. (2) One-sixteenth part of the pound is an ounce.

Dram. (3) One-sixteenth part of an ounce is a dram.

Grain. (4) One seven-thousandth part of a pound is a grain.

Cental or cwt. (5) A cental or hundred weight is one hundred pounds.

Ton. (6) A ton is twenty centals or two thousand pounds.

Ounce troy. (7) An ounce troy is four hundred and eighty grains.

Avoirdupois weights. (8) All weights mentioned in this section, except the ounce troy, shall be deemed to be avoirdupois weights.

Standard gallon. **13.** (1) The unit or standard measure of capacity from which are derived all other Canadian measures of capacity, whether of liquids or otherwise, is the gallon, which contains ten Canadian standard pounds weight of distilled water weighed in dry air against brass weights of density 0.30346 of a pound per cubic inch with the water and air at sixty-two degrees of Fahrenheit's thermometer and the barometer at thirty inches.

Quart. (2) The quart contains one-fourth of the gallon.

Pint. (3) The pint contains one-eighth of the gallon.

Peck. (4) A peck contains two gallons.

Bushel. (5) A bushel contains eight gallons.

Fluid ounce. (6) The one hundred and sixtieth part of the gallon by volume is a fluid ounce.

Metric equivalents of Canadian weights and measures. **14.** (1) The tables in Schedule III shall be deemed to set forth the equivalents in Canadian weights and measures of the weights and measures therein expressed in terms of the metric system.

(2) The tables in Schedule III may be used for computing and expressing weights and measures in the terms of the metric system of weights and measures.

Newfoundland. **15.** Such weights and measures as the Governor in Council may designate may be used in the province of Newfoundland for such period as the Governor in Council may prescribe.

ADMINISTRATION.

16. Once at least in every five years, the Minister shall cause the reference standards to be calibrated and certified by the National Research Council. Calibration of reference standards.

17. When a reference standard or a local standard becomes lost or destroyed or defaced or otherwise injured, the Minister shall cause the standard to be restored. Renewal of standard.

18. The Minister shall have the custody of all balances, apparatus, books, documents and things used by the department in connection with the reference standards or local standards or relating thereto. Custody of apparatus and records.

19. (1) A Director of Standards, hereinafter called the Director, may be appointed in the manner authorized by law, who shall, under direction of the Minister, have the general supervision and direction throughout Canada of the work and inspection necessary to give effect to this Act. Director of Standards.

(2) From time to time, the Director shall cause the local standards to be calibrated, adjusted if necessary, and certified. Standards to be calibrated.

(3) A certificate purporting to be signed by the Director or by any person authorized by the Director is *prima facie* evidence of the facts stated therein and that the calibration therein described has been performed. Certificate to be evidence.

20. A record shall be kept under direction of the Minister showing the particulars of all calibrations of reference standards and local standards. Record to be kept.

MARKING OF WEIGHTS AND MEASURES.

21. (1) Every weight used in trade or held in possession for use in trade, except when the small size of the weight renders it impracticable, shall have the denomination thereof marked on the top or side thereof in legible figures and letters by stamping or engraving. Marking of weights.

(2) Every measure of capacity used in trade or held in possession for use in trade shall have the denomination thereof marked on the outside of such measure in legible figures and letters by stamping or engraving. Marking of measures.

(3) Every weighing machine and measuring machine used in trade or held in possession for use in trade, and the weights or poises or other things used therewith, shall be marked in such place and in such manner as may be prescribed by regulation. Weighing machines and measuring machines.

Non-conforming weights, measures etc.

(4) A weight, measure, weighing machine or measuring machine not marked in conformity with this section shall not be stamped with a stamp of verification under this Act.

USE OF WEIGHTS AND MEASURES.

Contracts to be by standard weights and measures.

22. (1) Every transaction, that is to say, every contract, sale, dealing, service rendered or act performed in Canada, in respect of any work, goods, wares or merchandise in terms of weight or measure, shall be made or performed in terms of Canadian standard weight or measure or the metric equivalent thereof, and every such transaction that is not so made or performed is void.

Certificate of weight or measure.

(2) Every person who certifies or designates the weight or measure of anything weighed or measured by him shall express such weight or measure in terms of Canadian standard weights or measures or the metric equivalent thereof.

Required weight.

(3) Every such transaction by weight, except transactions in precious metals or precious stones and such other transactions as may be designated by regulation, shall be by avoirdupois weight or the metric equivalent thereof.

Tolls and duties.

23. All tolls and duties charged or collected according to weight or measure shall be charged and collected according to one of the Canadian weights or measures or the metric equivalent thereof, or to some multiple or fraction thereof.

Regional weights and measures not to be used.

24. Regional or customary standards of weights or measures shall not be used.

Use of static measure of capacity.

25. When a static measure of capacity is used in trade to measure a commodity, it shall be completely filled and stricken with a straight, round stick or roller of the same diameter from end to end, or, if the commodity cannot be stricken by reason of its shape or size, the measure shall be filled in all parts as nearly to the level of the brim as possible.

Pre-packaged goods.

26. (1) Except as may be provided by regulation, where pre-packaged goods are sold or displayed for sale by weight or measure, the net quantity in the wrapper or container shall be correctly indicated on the wrapper or container or on a ticket, card or label displayed or associated therewith.

Evidence.

(2) For the purpose of subsection one, goods that were packaged by weight or measure shall, if sold or displayed for sale, be deemed to have been sold or displayed for sale by weight or measure.

INSPECTORS AND INSPECTION.

27. (1) Inspectors of weights and measures and such other officers as are required for the enforcement and administration of this Act may be appointed in the manner authorized by law. Inspectors.

(2) No person appointed or employed in the administration or enforcement of this Act shall make or sell weights, measures, weighing machines, measuring machines or parts thereof but, under special instructions from the Minister in that behalf, an inspector may adjust or alter any weight verified by him or submitted to him for verification, and collect therefor such fee as is authorized by the Governor in Council. Disqualification.

28. Each inspector shall, on appointment, take an oath for the faithful discharge of his duties, and shall be bonded, in a sum fixed by the Governor in Council, for the safe custody and preservation of the standard weights and measures and other apparatus entrusted to him, for their delivery over to his successor in case of his resignation or removal from office, and for duly accounting for all moneys collected by him. Oath of Office.

29. The standards and other apparatus in the custody of an inspector shall be used solely for the purpose of comparing and verifying weights, measures, weighing machines and measuring machines, or otherwise in the administration and enforcement of this Act. Use of standards.

30. Unless otherwise provided by regulation, all weights, measures, weighing machines and measuring machines authorized by or under this Act for use in trade shall be inspected, verified and stamped at least once every year. Time for verification.

31. (1) Within his division, the inspector shall, at all proper times, carefully examine and compare all weights, measures, weighing machines and measuring machines authorized by or under this Act for use in trade. Examination of weights, etc.

(2) An inspector may also, at any time, inspect, verify, stamp and certify any weights, measures, weighing machines and measuring machines at any place in his division. Verification at owner's request.

(3) When an inspector finds a weight, measure, weighing machine or measuring machine to be correct and just, he shall stamp the same in such manner as is, from time to time, directed by the Minister, who shall furnish such stamps, brands and implements as he thinks proper for that purpose. Stamping.

Power of
entry to
inspect.

32. An inspector may, at all reasonable times, without notice, enter any shop, store, warehouse, stall, yard or place whatsoever, within his division, where any commodity is bought, sold, exposed or kept for sale, or where a charge is made for the service of weighing or measuring or for the carriage or conveyance of any thing by weight or measure, and

(a) there examine all weights, measures, weighing machines and measuring machines, and compare them and try them with the local standards of weight and measure in his possession; and

(b) inspect and check any pre-packaged goods for the purpose of ascertaining the weight or measure thereof or whether the contents thereof correctly correspond to the weight or measure indicated on the container or otherwise.

Minute book.

33. (1) An inspector shall keep a book in which he shall enter a record of all inspections and verifications made by him.

Certificate of
verification.

(2) At the time of inspection of any weight, measure, weighing machine or measuring machine, an inspector shall deliver to the owner thereof, or to the person apparently in charge of it, a certificate under his hand setting forth the fact and date of such inspection and specifying every weight, measure, weighing machine or measuring machine that was verified or inspected.

Certificate to
be evidence.

(3) A certificate issued under subsection two is *prima facie* evidence that the inspection and verification have been performed as described in such certificate.

Stamped
weight, etc.
used in
another
division.

34. No weight, measure, weighing machine or measuring machine duly stamped by any inspector is required to be re-stamped by reason only that it is used beyond the limits of the inspection division within which it was originally stamped.

REGULATIONS.

Powers of
Governor in
Council.

35. (1) The Governor in Council may make regulations for carrying the purposes and provisions of this Act into effect and, without restricting the generality of the foregoing, may make regulations respecting

(a) the duties of inspectors and their assistants;

(b) the replacement and use of standards of weights and measure;

(c) the methods of inspecting, verifying and stamping weights, measures, weighing machines, measuring machines and local standards and of certifying such verification;

- (d) the amount of error that may be tolerated in weights, measures, weighing machines and measuring machines;
- (e) the shapes, dimensions and proportions to be required in weights, measures, weighing machines and measuring machines and the materials of which they are made;
- (f) the marking of denominations on weights, measures, weighing machines and measuring machines;
- (g) the weights, measures, weighing machines or measuring machines that shall or shall not be legal for use in trade and how they shall be marked to so indicate;
- (h) the frequency with which weights, measures, weighing machines and measuring machines shall be inspected, verified or stamped;
- (i) the requirements to be observed, the facilities, apparatus and assistance to be provided and the proper storage of testing equipment to be furnished by owners of weights, measures, weighing machines and measuring machines for the purpose of the inspection and verification thereof;
- (j) the form of receipts, certificates or other documents to be given by inspectors upon inspection and verification and their production at the request of an inspector;
- (k) the fees to be paid to inspectors for inspecting and verifying weights, measures, weighing machines and measuring machines or for weighing or measuring goods under this Act and the time, manner and evidence of payment thereof; and, in such cases as he deems proper, prescribing the fees that may be paid during a specified period, not exceeding one year, instead of upon each inspection and verification, and the time, manner and evidence of payment thereof;
- (l) the measurement of wood;
- (m) the weight of wrappers or containers of commodities sold by weight;
- (n) the marking of wrappers or containers of pre-packaged goods sold by weight or measure, or on tickets, cards or labels displayed or associated therewith, to indicate the contents of the wrapper or container;
- (o) the amount of error that may be tolerated in pre-packaged goods; and
- (p) the exemption of any pre-packaged goods from the operation of any provision of this Act.

(2) For the purposes of this Act the Governor in Council may divide the whole or any part of Canada into inspection divisions or districts and fix the boundaries thereof.

Inspection
divisions.

INSPECTION FEES.

Payment of
inspection
fees.

36. All fees collected under this Act shall form part of the Consolidated Revenue Fund, and, unless otherwise provided by regulation, all fees prescribed for any services performed under this Act shall be paid at the time the service is performed.

Cases of
dispute.

37. In case of dispute between a trader and another person as to the correctness of a weight, measure, weighing machine or measuring machine that an inspector is requested to inspect, the fees for such inspection shall be paid by the trader if the weight, measure or machine is found to be incorrect and by the other person if it is found to be correct.

Refusal to
pay fees.

38. (1) When any person refuses to pay the inspection fees payable by him, on demand of an inspector, the inspector may seize sufficient of the weights, measures, weighing machines or measuring machines for the inspection of which the fees are due, and retain them until the fees and all expenses incurred are paid.

Fees
recoverable
as debt due
to Crown.

(2) All fees payable under this Act are recoverable in any court of competent jurisdiction as a debt due to the Crown.

ACCOUNTS.

Accounts.

39. Separate accounts shall be kept of all expenditures incurred and of all fees and other moneys collected or received under this Act and a statement of such accounts shall be included in the annual report of the Minister under the *Department of Trade and Commerce Act*.

R.S. c. 200.

OFFENCES AND PENALTIES.

Using other
than
Dominion
weight or
measure.

40. Every person who violates subsection one, subsection two or subsection three of section twenty-two is guilty of an offence.

Weighing
beyond
capacity.

41. Every trader who uses a weighing machine to weigh beyond its capacity certified under this Act is guilty of an offence.

Stamping
without
verifying.

42. Any inspector who stamps any weight, measure, weighing machine or measuring machine without having duly compared and verified it with the standard or other instrument provided for the purpose is guilty of an offence.

43. (1) Except as provided in subsection two, every person who sells, delivers or causes to be sold or delivered anything by weight, measure or number short of the quantity purchased is guilty of an offence. Short weight or measure.

(2) When goods that are not pre-packaged goods are sold by weight and wrapped, the weight of the wrapper may be included in the weight purported to be sold if it does not exceed the tolerance that may be prescribed by regulation. Weight of wrapper.

44. When goods that are not pre-packaged goods are sold by measure in a container, the container shall not be used as a measure unless it has been approved as a measure and is marked in accordance with this Act. Sale in container.

45. (1) Every trader who uses in trade or who has in his possession for use in trade any weight, measure, weighing machine or measuring machine that is false or unjust is guilty of an offence. False or unjust weight, etc.

(2) For the purposes of this Act possession of any weight, measure, weighing machine or measuring machine by a trader shall be deemed *prima facie* to be possession by him for use in trade. Evidence.

(3) Every trader who uses in trade or has in his possession, and every dealer in weights, measures, weighing machines or measuring machines not manufactured by him who has in his possession, Use of weights, etc., not marked or stamped.

(a) any weight or measure that is required by section twenty-one or the regulations to be marked and is not so marked, or

(b) any weighing machine or measuring machine that is required by section twenty-one or the regulations to be marked and is not so marked and that is required by section thirty-one or the regulations to be stamped by an inspector and is not so stamped,

is guilty of an offence.

(4) An inspector may seize and confiscate every weight or measure that is not marked as required by section twenty-one and the regulations and is in the possession of a trader or dealer described in subsection three, and every weight and measure so seized and confiscated may be disposed of as the Minister may direct. Seizure and confiscation.

46. When any fraud is wilfully committed in the use of any weight, measure, weighing machine or measuring machine, the person who committed the fraud and every person who was a party to the fraud is guilty of an offence. Fraud in use of weight, etc.

47. (1) Every manufacturer or importer who, in accordance with the regulations, submits a weight, measure, weighing machine or measuring machine for inspection Failure to adjust or mark as directed.

prior to its use and sells or otherwise disposes of it without having marked it as required by section twenty-one and the regulations is guilty of an offence.

Non-conforming static measuring device.

(2) Every manufacturer or importer who has the prototype of a measure approved under the regulations and sells or otherwise disposes of to a trader or dealer a measure that does not conform to such approved prototype is guilty of an offence.

Selling unstamped weight, etc.

48. (1) Every manufacturer or importer of any weight, weighing machine or measuring machine who

(a) disposes of it before it is marked as required by this Act or the regulations, or

(b) if it is required by this Act or the regulations to be inspected and stamped, disposes of it before it has been so inspected and stamped, is guilty of an offence.

Dormant scales.

(2) Subsection one does not apply to dormant scales that cannot be properly verified until they have been set upon a fixed foundation.

Selling unstamped static measuring device.

(3) Every manufacturer or importer of any measure required by this Act or the regulations to be marked or stamped who disposes of it before it is so marked or stamped is guilty of an offence.

Repaired weight, etc., to be held for inspection.

(4) Every person to whom a weight, measure, weighing machine or measuring machine has been delivered by a trader for the purpose of repair who, after repairing it, releases possession of it before it has been inspected and stamped by an inspector under this Act, is guilty of an offence.

Forging or counterfeiting stamps.

49. Every person who forges or counterfeits any mark or stamp used for marking or stamping under this Act or who wilfully alters any weight, measure, weighing machine or measuring machine so that it weighs or measures unjustly is guilty of an offence.

Using or selling falsified weight, etc., or breaking seal.

50. Every person who knowingly uses, sells, utters or offers for sale any weight, measure, weighing machine or measuring machine that has been altered so that it weighs or measures unjustly or who wilfully breaks or removes the official seal or mark of rejection from any such weight, measure or machine sealed against use, except for the purpose of repairing or adjusting it for presentation for inspection and stamping, is guilty of an offence.

Obstructing inspector.

51. Every person who wilfully obstructs or impedes an inspector in the performance of his duty under this Act or the regulations and every person who aids or assists him in so doing, is guilty of an offence.

52. Every manufacturer, importer or trader who, upon the demand of the inspector, refuses or fails to produce for inspection all weights, measures, weighing machines and measuring machines in his possession and to permit such inspection, is guilty of an offence. Refusing to produce weights, etc.

53. (1) Every person who is guilty of an offence under section forty-three, forty-five, forty-six, forty-seven, forty-eight, forty-nine, fifty, fifty-one or fifty-two is liable, for the first offence, to a fine not exceeding one hundred dollars or to imprisonment for a term not exceeding three months or to both fine and imprisonment, and, in the case of every subsequent offence, to a fine not exceeding two hundred and fifty dollars or to imprisonment for a term not exceeding six months or to both fine and imprisonment. Offences and penalties.

(2) Every person who is guilty of an offence under section forty, forty-one or forty-two is liable on summary conviction to a fine not exceeding one hundred dollars. Idem.

(3) Every person who violates any provision of this Act or any regulation for which no penalty is elsewhere provided in this Act, is guilty of an offence and is liable on summary conviction to a fine not exceeding one hundred dollars. Penalty in absence of other penalty.

FORFEITURE.

54. (1) Whenever an inspector believes on reasonable grounds that an offence under this Act has been committed he may seize all weights, measures, weighing machines and measuring machines by means of or in relation to which he reasonably believes the offence was committed. Seizure of weights, measures, etc.

(2) All things seized pursuant to subsection one may be detained for a period of two months following the day of seizure, unless during that period proceedings under this Act in respect of those things are undertaken, in which case those things may be further detained until such proceedings are finally concluded. Detention.

(3) Where a person is convicted of an offence under this Act, the court or judge may order that any weights, measures, weighing machines or measuring machines by means of or in relation to which the offence was committed shall be forfeited to His Majesty, and anything so forfeited may be disposed of as the Minister may direct. Forfeiture.

REPEAL.

55. The *Weights and Measures Act*, chapter two hundred and twelve of the Revised Statutes of Canada, 1927, is repealed. Repeal.

COMING INTO FORCE.

56. This Act shall come into force on a day to be fixed by proclamation of the Governor in Council. Coming into force.

SCHEDULE I
REFERENCE STANDARDS

Measures of Length		Measures of capacity
Number of each	Denomination of Standard	Denomination of Standard
	Set marked 'a'	Set marked 'a'
1	100 feet	Bushel
1	66 feet or chain of 100 links	Half-bushe
1	10 feet end measures, with bed	Peck
1	6 feet end measure, with bed	Gallon
1	3 feet or 1 yard	Half-gallon
1	1 inch divided into 10 decimal parts, one of which is again divided into ten subdivisions of one-hundredth of an inch each	Quart
		Pint
		Half-pint
		Gill
		Half-gill
		Set marked 'b'
		Bushel
		Half-bushe
		Peck
		Gallon
		Half-gallon
		Quart
		Pint
		Half-pint
		Gill
		Half-gill

SCHEDULE I—Continued
REFERENCE STANDARDS—Continued

Denomination of Standards		
Avoirdupois Weights	Troy Bullion Weights	Decimal Grain Weights
Set marked 'C'	Set marked 'C'	Set marked 'b'
50 pounds	500 ounces	1,000 grains
30 "	300 "	600 "
20 "	200 "	300 "
10 "	100 "	200 "
5 "	50 "	100 "
3 "	30 "	60 "
2 "	20 "	30 "
1 pound	10 "	20 "
8 ounces	5 "	10 "
4 "	3 "	6 "
2 "	2 "	3 "
1 ounce	1 "	2 "
8 drams	.5 "	1 "
4 "	.3 "	.6 "
2 "	.2 "	.3 "
1 dram	.1 "	.2 "
$\frac{1}{2}$ "	.05 "	.1 "
$\frac{1}{4}$ "	.03 "	.06 "
	.02 "	.03 "
	.01 "	.02 "
	.005 "	.01 "
	.003 "	
	.002 "	
	.001 "	
Set marked "b"		
.5 pound		
.3 "		
.2 "		
.1 "		
.05 "		
.03 "		
.02 "		
.01 "		
.005 "		
.003 "		
.002 "		
.001 "		

SCHEDULE I—*Concluded*
REFERENCE STANDARDS—*Concluded*

Metric Weights	Metric Volume Measures
Set marked "C"	Set marked "C, F"
20 Kilograms	Double Decalitre
10 "	Decalitre
5 "	Demi Decalitre
2 "	Double Litre
2 "	Litre
1 "	Demi Litre
500 grammes	Double Decilitre
200 "	Decilitre
100 "	Demi Decilitre
100 "	Double Centilitre
50 "	Centilitre
20 "	
10 "	
10 "	
5 "	
2 "	
2 "	
1 "	
.5 "	
.2 "	
.1 "	
.1 "	
.05 "	
.02 "	
.01 "	
.01 "	
.005 "	
.002 "	
.001 "	
.001 "	

Metric Measure of Length	
1 Standard Meter marked No. 2605	

SCHEDULE II
CANADIAN STANDARDS

1. The standard unit of length for Canada is the yard, which is nine thousand, one hundred and forty-four ten-thousandths $\left(\frac{9,144}{10,000}\right)$

of the International metre.

2. The standard unit of weight for Canada is the pound, which is forty-five million, three hundred and fifty-nine thousand, two hundred and forty-three one-hundred-millionths $\left(\frac{45,359,243}{100,000,000}\right)$ of the International kilogramme.

SCHEDULE III

Table of the Values of the principal denominations of Measures of length of the Metric System expressed in terms of the standard measures of Canada.

(1) MEASURES OF LENGTH

Metric denominations and values	In metres	Equivalents expressed in terms of the Standards of Canada		
		In yards and decimal parts of a yard	In feet and decimal parts of a foot	In links and decimal parts of a link
Myriametre.....	10000	10936·133	32808·399	49709·70
Kilometre.....	1000	1093·6133	3280·8399	4970·970
Hectometre.....	100	109·36133	328·08399	497·0970
Decametre.....	10	10·936133	32·808399	49·70970
Metre.....	1	1·0936133	3·2808399	4·970970
Decimetre.....	1/10	0·1093613	0·3280840	0·497097
Centimetre.....	1/100	0·0109361	0·0328084	0·049710
Millimetre.....	1/1000	0·0010936	0·0032808	0·004971

Table of Values of the principal denominations of Measures of length of Canada expressed in terms of the standard measures of the Metric System.

Canadian denominations and values	Equivalents expressed in terms of Metric Standards
	In metres and decimal parts of a metre
Mile.....	1609·344
Furlong.....	201·1680
Chain.....	20·11680
Rod, pole or perch.....	5·029200
Yard.....	0·9144000
Foot.....	0·3048000
Link.....	0·2011680
Inch.....	0·0254000

Table of the Values of the principal denominations of the measures of surface of the Metric system expressed in terms of the Standard measures of Canada.

(2) MEASURES OF SURFACE

Metric Denominations and Values	Equivalents expressed in terms of the Standards of Canada			
	In Ares	In Square Metres	In square yards and decimal parts of a square yard	In square links and decimal parts of a square link
Hectare.....	100	10000	11959·900	247105·4
Decare.....	10	1000	1195·9900	24710·54
Are.....	1	100	119·59900	2471·054
Centiare.....	1/100	1	1·1959900	24·71054

Table of the Values of the principal denominations of the measures of surface of Canada expressed in terms of the measures of surface of the Metric system.

Canadian Denominations and Values	Equivalents expressed in terms of the Metric Standards	
	In square metres and decimal parts of a square metre	In ares and decimal parts of an are
Square mile.....	2589988	25899·88
Square furlong.....	40468·56	404·6856
Acre.....	4046·856	40·46856
Rood.....	1011·7140	10·117140
Square chain.....	404·6856	4·046856
Square rod, pole or perch.....	25·29285	0·2529285
Square yard.....	0·8361274	0·008361274
Square foot.....	0·09290304	0·0009290304
Square link.....	0·04046856	0·0004046856
Square inch.....	0·000645160	0·0000645160

Table of the values of the principal denominations of weights of the Metric system expressed in terms of the standard weights of Canada.

(3) WEIGHTS

Metric denominations and values	Equivalents expressed in terms of the Standards of Canada		
	In Grammes	In pounds and decimal parts of a pound	In grains and decimal parts of a grain
Millier.....	1000000	2204.6223	
Quintal.....	100000	220.46223	
Myriagramme.....	10000	22.046223	
Kilogramme.....	1000	2.2046223	15432.356
Hectogramme.....	100	0.2204622	1543.236
Decagramme.....	10	0.0220462	154.324
Gramme.....	1	0.0022046	15.432
Decigramme.....	1/10	0.0002205	1.543
Centigramme.....	1/100	0.0000220	0.154
Milligramme.....	1/1000	0.0000022	0.015

Table of values of the principal denominations of the standard weights of Canada expressed in terms of the weights of the Metric system

Canadian Denominations and Values	Equivalents expressed in terms of the Metric Standards
	In kilogrammes and decimal parts of a kilogramme
Ton.....	907.1849
Cental or hundredweight.....	45.359243
Pound.....	0.45359243
Ounce (Troy).....	0.03110348
Ounce.....	0.02834953
Dram.....	0.00177185
Grain.....	0.00006480

All weights in Table (3) are avoirdupois with exception of Troy ounce.

Table of the values of the principal denominations of measures of capacity of the Metric system expressed in terms of the standard measures of Canada.

(4) MEASURES OF CAPACITY

Metric Denominations and Values	Equivalents expressed in terms of the Standards of Canada		
	In Litres	In cubic metre and decimal parts of a cubic metre	In gallons and decimal parts of a gallon
Kilolitre.....	1000	1.000027	219.974
Hectolitre.....	100	0.1000027	21.9974
Decalitre.....	10	0.01000027	2.19974
Litre.....	1	0.001000027	0.219974
Decalitre.....	1/10	0.000100003	0.021997
Centilitre.....	1/100	0.000010000	0.002200
Millilitre.....	1/1000	0.000001000	0.000220

Table of the values of the principal denominations of the measures of capacity of Canada expressed in terms of the measures of capacity of the Metric system.

Canadian Denominations and Values	Equivalents expressed in terms of the Metric Standards	
	In litres and decimal parts of a litre	In cubic decimetres and decimal parts of a cubic decimetre
Bushel.....	36.3680	36.3690
Peck.....	9.09200	9.0922
Gallon.....	4.54600	4.54612
Quart.....	1.13650	1.13653
Pint.....	0.56825	0.56827
Fluid Ounce.....	0.02841	0.02841

SCHEDULE IV.

PART I.

FORMER DOMINION STANDARDS.

The following standards were constructed under the direction of the Commissioner of Inland Revenue for the purposes of the Act respecting Weights and Measures, chapter 47 of the statutes of 1873:

The standard for determining the length of the Dominion standard yard prior to the Weights and Measures Act of 1951 was a solid square bar, thirty-eight inches long and one inch square in transverse section, the bar being of bronze or gun metal (known as Baily's metal); near to each end a cylindrical hole is sunk (the distance between the centres of the two holes being thirty-six inches) to the depth of half an inch; at the bottom of each hole is inserted in a smaller hole a gold plug or pin, about one-tenth of an inch in diameter, and upon the surface of each pin is cut a fine line transverse to the axis of the bar and two lines at an interval of about one-hundredth of an inch parallel to the axis of the bar; the measure of length of the Dominion standard yard was given by the interval between the transverse line at one end and the transverse line at the other end, the part of each line which is employed being the point midway between the longitudinal lines; and the said points are referred to as the centres of the said gold plugs or pins, and such bar is marked "Mr. Baily's metal", "Standard Yard", "A", "Troughton and Simms, London". There are also, on the upper side of the bar, two holes for the insertion of the bulbs of suitable thermometers for the determination of the temperature.

The standard for determining the weight of the Dominion standard pound prior to the Weights and Measures Act of 1951 was of platinum-iridium, the form being that of a cylinder nearly 1·35 inches in height and 1·15 inches in diameter, with a groove or channel round it, the middle of which is about 0·34 inch below the top of the cylinder, for insertion of the points of the ivory fork by which it is to be lifted; the edges are carefully rounded off, and such standard is marked "A". The weight of this standard in terms of the Imperial standard is 6999·97694 grains when both are weighed in vacuo and 6999·98387 grains when both are weighed in air at the temperature of 62° of Fahrenheit's thermometer, the barometer being at 30 inches, and for which due allowance is required to be made when comparing other standards.

The standard for determining the weight of the Dominion standard Troy ounce prior to the Weights and Measures Act of 1951 was of platinum-iridium, the form being that of a truncated cone, with a knob, nearly 12/10 of an inch in height, including the knob, the knob being nearly one-quarter of an inch and the base of the cone half an inch in diameter respectively, and such standard is marked "A". The weight of this standard in terms of the Imperial standard is 479·99197 grains when both are weighed in vacuo, and 480·03648 grains when both are weighed in air at the temperature of 62° of Fahrenheit's thermometer, the barometer being at 30 inches, for which due allowance is required to be made when comparing with other standards.

PART II.

PARLIAMENTARY COPIES OF CANADIAN STANDARDS.

The following copies of the former standards were constructed at the same time as the standards set forth in Part I. They are of the same construction and form as those standards, and they are respectively marked and deposited as follows:

- (a) A copy of the standard for determining the Dominion standard yard, being a bronze bar marked "Mr. Baily's metal", "Standard Yard", "B", "Troughton and Simms, London",
- (b) A copy of the standard for determining the Dominion standard pound, marked "B", and
- (c) A copy of the standard for determining the Dominion standard Troy ounce marked "B",

were deposited with the Speaker of the Senate. Such copy of the standard yard is standard at temperature of 62.16° of Fahrenheit's thermometer, and the weight of the copy of the standard pound, in terms of the Imperial standard, when both are weighed in vacuo, is 6999.98312 grains.

OTTAWA: Printed by EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
Law Printer to the King's Most Excellent Majesty.

15 GEORGE VI.

CHAP. 37.

An Act to vary the Alberta Natural Resources Agreement.

[Assented to 30th June, 1951.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. This Act may be cited as *The Alberta Natural Resources Transfer (Amendment) Act, 1951*. Short title.

2. The Agreement set out in the Schedule to this Act is hereby confirmed and shall take effect according to its terms. Agreement confirmed.

SCHEDULE

MEMORANDUM OF AGREEMENT.

Made this 31st day of March, 1951.

BETWEEN

THE GOVERNMENT OF CANADA, represented herein by the Honourable Douglas Charles Abbott, Minister of Finance,

Of the first part,

AND

THE GOVERNMENT OF THE PROVINCE OF ALBERTA, represented herein by the Honourable Ernest Charles Manning, Premier of Alberta and Provincial Treasurer,

Of the second part.

WHEREAS the Agreement entered into between the parties hereto on the 14th day of December, A.D. 1929 (hereinafter referred to as the Natural Resources Transfer Agreement), was duly approved by the Parliament of Canada and the Legislature of the Province and upon an address to His Majesty from the Senate and House of Commons of Canada, was confirmed and declared to have the force of law by an Act of the Parliament of the United Kingdom of Great Britain and Northern Ireland entitled "The British North America Act, 1930" being chapter twenty-six of the Imperial Statutes, 20-21 George V;

AND WHEREAS by paragraph twenty-four of the said Natural Resources Transfer Agreement it was agreed that the provisions of the said Agreement might be varied by an Agreement confirmed by concurrent Statutes of the Parliament of Canada and the Legislature of the Province;

AND WHEREAS paragraphs six and seven of the Natural Resources Transfer Agreement provide as follows:

"6. Upon the coming into force of this Agreement, Canada will transfer to the Province the money or securities constituting that portion of the School Lands Fund, created under sections twenty-two and twenty-three of the Act to amend and consolidate the several Acts respecting Public Lands of the Dominion, being chapter thirty-one of forty-two Victoria, and subsequent statutes, which is derived from the disposition of any school lands within the Province or within that part of the Northwest Territories now included within the boundaries thereof."

"7. The School Lands Fund to be transferred to the Province as aforesaid, and such of the school lands specified in section thirty-seven of the Dominion Lands Act, being chapter one hundred and thirteen of the Revised Statutes of Canada, 1927, as pass to the administration of the Province under the terms hereof, shall be set aside and shall continue to be administered by the Province in accordance, mutatis mutandis, with the provisions of sections

thirty-seven to forty of the Dominion Lands Act, for the support of schools organized and carried on therein in accordance with the law of the Province."

AND WHEREAS the effect of these provisions is that money obtained from the sale of the school lands specified therein and the said School Lands Fund may be invested only in securities of Canada;

AND WHEREAS it has been agreed that provision should be made for the investment of such money in other securities as hereinafter provided:

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT:

1. Paragraph seven of the Natural Resources Transfer Agreement is amended by adding thereto the following provision:

"The Province will, notwithstanding anything in this Agreement, invest money to which this paragraph applies in securities of Canada, or of a Province, or of a municipal corporation, school district or school division in the Province of Alberta, or in securities guaranteed by Canada or a Province, to form a school fund, and will apply the interest arising therefrom, after deducting the cost of management, for the support of schools organized and carried on in accordance with the law of the Province."

2. This Agreement is made subject to its being approved by the Parliament of Canada and by the Legislature of the Province of Alberta, and shall take effect on the first day of the calendar month beginning next after its approval as aforesaid, whichever approval, that of the Parliament of Canada or that of the Legislature of the Province, shall be later in date.

IN WITNESS WHEREOF, the Honourable Douglas Charles Abbott, Minister of Finance, has hereunto set his hand on behalf of Canada; and the Honourable Ernest Charles Manning, Premier of Alberta and Provincial Treasurer, has hereunto set his hand on behalf of the Province of Alberta.

Signed on behalf of the Government of Canada by the Honourable Douglas Charles Abbott, Minister of Finance, in the presence of (Sgd) W. C. CLARK	}	(Sgd) D. C. ABBOTT.
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Signed on behalf of the Government of Alberta by the Honourable Ernest Charles Manning, Premier of Alberta and Provincial Treasurer, in the pres- ence of (Sgd) D. HOPE	}	(Sgd) ERNEST MANNING.
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15 GEORGE VI.

CHAP. 38.

An Act to provide for Allowances for Blind Persons.

[Assented to 30th June, 1951.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. This Act may be cited as *The Blind Persons Act*. Short title.
2. In this Act, Definitions.
 - (a) "agreement" means an agreement made under section three; "agreement."
 - (b) "allowance" means a blind persons allowance provided under provincial law to the persons and under the conditions specified in this Act and the regulations; "allowance."
 - (c) "application" means an application for an allowance; "application."
 - (d) "dependent child" means a son or step-son who has not attained the age of sixteen years and a daughter or step-daughter who has not attained the age of seventeen years, and includes a son, step-son, daughter or step-daughter who has not attained the age of twenty-one years and is prevented from earning a livelihood by reason of physical or mental incapacity; "dependent child."
 - (e) "Minister" means the Minister of National Health and Welfare; "Minister."
 - (f) "provincial authority" means the officer or body charged with the administration of the provincial law; "provincial authority."
 - (g) "provincial law" means a law of a province that provides for the payment of blind persons allowances to the persons and under the conditions specified in this Act and the regulations, and authorizes the province to enter into an agreement with the Government of Canada in accordance with this Act; "provincial law."
 - (h) "province" includes the Northwest Territories and the Yukon Territory; "province."

"recipient."

(i) "recipient" means a person to whom an allowance has been granted and includes an applicant for an allowance; and

"unmarried person."

(j) "unmarried person" includes a widow, a widower, a divorced person and a married person who, in the opinion of the provincial authority, is living separate and apart from his spouse.

Agreements
with
provinces

3. (1) The Minister, with the approval of the Governor in Council, may, on behalf of the Government of Canada, make an agreement with a province to provide for the payment to the province, in accordance with this Act and the regulations, of amounts in respect of allowances paid by the province pursuant to provincial law, not exceeding, in respect of any recipient, seventy-five per cent. of forty dollars monthly or of the amount of the allowance paid by the province monthly to the recipient, whichever is the lesser.

Qualifica-
tions.

(2) Payments to a province pursuant to this section shall be made only in respect of a recipient who

(a) at the date of the proposed commencement of allowance payments to him

(i) is blind, and

(ii) has attained the age of twenty-one years, and

(iii) has resided in Canada for the ten years immediately preceding that date, or if he has not so resided, has been present in Canada prior to those ten years for an aggregate period equal to twice the aggregate period of absences from Canada during those ten years; and

(b) is not in receipt of assistance under *The Old Age Assistance Act* or an allowance under *The War Veterans' Allowance Act, 1946*, or a pension under *The Old Age Security Act* or a pension in respect of blindness under the *Pensions Act*; and

(c) is

(i) an unmarried person, without a dependent child or children and his income, inclusive of allowance, is not more than eight hundred and forty dollars a year, or

(ii) an unmarried person with a dependent child or children, and his income, inclusive of allowance, is not more than one thousand and forty dollars a year, or

(iii) married and living with his spouse and the total income, inclusive of allowance, of the recipient and his spouse is not more than thirteen hundred and twenty dollars a year, or

(iv) married and living with his spouse who is blind and the total income, inclusive of allowance, of the recipient and his spouse is not more than fourteen hundred and forty dollars a year.

4. An agreement with a province shall contain a covenant by the Government of Canada to pay to the province each month the amount that the Government of Canada is at that time authorized to pay to the province under this Act.

Amount of payments by Government of Canada.

5. (1) The allowance in respect of which the Government of Canada is authorized by this Act to make payments shall be payable monthly in arrears.

Allowance payable monthly in arrears.

(2) Where a province pays an allowance in respect of a recipient for the whole of the month in which the recipient dies, the Government of Canada shall make payments in respect thereof in accordance with section three.

Where recipient dies.

6. Subject to the conditions specified in the regulations, a provincial authority is entitled, for the purpose of ascertaining the age of a recipient, to obtain from the Dominion Bureau of Statistics any information respecting the age of a recipient that is contained in the returns of any census taken more than thirty years before the date of the application for such information.

Census records.

7. In every agreement the province shall, subject to section three,

Provisions of agreement.

(a) specify the maximum allowance to be paid by it to a recipient;

(b) provide for the reduction of such maximum allowance by the amount of any income received by a recipient in excess of an amount to be specified in such agreement; and

(c) covenant and agree

(i) that the provincial authority will consider applications from persons resident in the province in the manner prescribed by regulation, and where satisfied that a recipient is properly and lawfully entitled to the allowance, under the conditions specified in this Act, the regulations and the agreement, grant the allowance to such recipient in the amount specified in the agreement;

(ii) that where a recipient, during the last ten hundred and ninety-five days that he was present in Canada prior to reaching the age of twenty-one years, or prior to making application for the allowance, whichever is the later, was present in the province for a greater number of days than in any other province, the province will reimburse any other province that is paying the allowance to the extent of twenty-five per cent. of the amount of the allowance;

- (iii) that the province will, where a recipient who has been granted an allowance transfers his residence to such province from another province, pay the allowance;
- (iv) that where a recipient, to whom the province has granted an allowance, transfers his residence to another province with which no agreement is in force, the province will continue to pay the allowance to such recipient;
- (v) that where a recipient, who has been granted an allowance, transfers his residence to some place out of Canada, the province will discontinue payment of the allowance and not resume payment thereof until such recipient has again become resident in Canada;
- (vi) to make statutory provision for penalties to ensure the proper carrying out of the provincial law and to provide that no allowance shall be subject to alienation or transfer by a recipient or to attachment or seizure in satisfaction of any claim against him, and that the receipt of the allowance shall not by itself constitute a disqualification from voting at any provincial or municipal election;
- (vii) that the province will furnish without charge to the provincial authority of any province, a certificate of the date of the birth of any recipient born within the province;
- (viii) to maintain proper and adequate records and accounts respecting the payment of allowances, and to permit of an examination, inspection and audit by the Government of Canada of all such payments and of the records and accounts with respect thereto;
- (ix) that where a recipient or his spouse has, within the five years preceding the date of application, made an assignment or transfer of property the consideration for which is, in the opinion of the provincial authority, inadequate, or where it appears to the provincial authority that any assignment or transfer of property made by a recipient or his spouse was made for the purpose of qualifying the recipient for an allowance, or for a larger allowance than he otherwise would be entitled to receive, or to prevent recovery of any claim under the provincial law, the province will deem the property so assigned or transferred to be property of the recipient or his spouse owned at the date of the application as though the assignment or transfer had not been made;

(x) that where recovery of the amount of any allowance is made from a recipient or his estate, the province will furnish to the Government of Canada monthly a report thereof and pay to the Government of Canada an amount that bears the same ratio to the amount so recovered as the total amounts paid by the Government of Canada in respect of allowance payments made to such recipient bears to the total of such allowance payments.

8. All sums of money payable to a province in pursuance of an agreement shall be paid by the Minister of Finance on the certificate of the Minister out of the Consolidated Revenue Fund, and all such payments shall be made subject to the conditions specified in this Act and the regulations and subject to the observance of the covenants, agreements and undertakings contained in the agreement.

Payments
out of
C.R.F.

9. (1) Subject to subsection two, every agreement shall continue in force so long as the provincial law remains in operation or until the expiration of ten years from the day upon which notice of an intention to terminate the agreement is given by the Minister, with the approval of the Governor in Council, to the province with which the agreement was made.

Duration of
agreements.

(2) An agreement may be amended or terminated by mutual consent of the parties thereto with the approval of the Governor in Council.

Amendment.

10. An agreement shall not come into operation until the Governor in Council has approved the scheme for the administration of allowances proposed to be adopted by the province, and no change in the scheme shall be made by the province without the approval of the Governor in Council.

Coming into
force of
agreement.

11. (1) The Governor in Council may make regulations for carrying the purposes and provisions of this Act into effect, and, without limiting the generality of the foregoing, may make regulations providing for

Regulations.

(a) the definition of "blind" for the purposes of this Act;

(b) the time, manner and form of making an application, the information and evidence to be submitted in connection therewith, and the procedure to be followed by the provincial authority in the consideration of applications;

(c)

- (c) the investigation into applications and into the eligibility of a recipient to receive an allowance, the reports to be made and the information to be supplied by or in respect of recipients;
- (d) the conditions under which information may be obtained from the Dominion Bureau of Statistics as provided in section six;
- (e) the definition of residence in Canada for the purposes of this Act and the extent of intervals of absence from Canada that shall be deemed not to have interrupted the continuity of residence;
- (f) the definition of income for the purposes of this Act, and the manner in which income is to be determined, including the income of a recipient and his spouse, and the determination of the amount thereof that each shall be deemed to receive, whether they live together or separate and apart;
- (g) determining the amount that for the purposes of this Act shall be deemed income of a recipient from any interest in real or personal property of the recipient or his spouse owned or deemed to be owned at the date of making application or acquired subsequent thereto;
- (h) the time at which, after application therefor, the payment of the allowance shall commence;
- (i) the payment of allowances to persons as trustees for the benefit of recipients who are incapacitated through infirmity, illness, or any other cause;
- (j) the circumstances justifying or requiring the suspension of the payment of allowances and the resumption of payment; and
- (k) the recovery of the amount of allowance payments to which a recipient was not entitled under this Act, the regulations and the agreement.

Alteration of
regulations.

(2) No regulation by reference to which an agreement with a province has been made shall be altered, except with the consent of the province or in accordance with the regulations to which it has agreed.

Advisory
Board.

(3) There shall be an Advisory Board consisting of two representatives of the Government of Canada, appointed by the Governor in Council, and two representatives of each of the provinces with which agreements have been made, appointed by the Governor in Council on the recommendation of such provinces, to recommend such alterations to the regulations as may from time to time appear to be necessary or advisable.

Report.

12. The Minister shall, as soon as possible after the termination of each fiscal year, submit a report to Parliament respecting the operation for that year of the agreements made under this Act and of the payments made to the provinces under each of the agreements.

13. (1) Section eight A of the *Old Age Pensions Act*, Repeal.
chapter one hundred and fifty-six of the Revised Statutes
of Canada, 1927, is repealed.

(2) Notwithstanding the repeal of section eight A of the *Old Age Pensions Act*, Saving.
where a province that has not entered
into an agreement under this Act continues to pay pensions
to the persons and under the conditions specified in section
eight A of the *Old Age Pensions Act* in accordance with
the terms of an agreement made by that province under the
Old Age Pensions Act and in force on the thirty-first day of
December, nineteen hundred and fifty-one, the Government
of Canada will, in accordance with the terms of such agree-
ment and the *Old Age Pensions Act*, continue to make
payments to such province in respect of the pensions so
paid as though the said section eight A had not been repealed.

14. This Act shall come into force on the first day of Coming
into force.
January, nineteen hundred and fifty-two.

OTTAWA: Printed by EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
Law Printer to the King's Most Excellent Majesty.

15 GEORGE VI.

CHAP. 39.

An Act to establish national standards for dairy products and to regulate interprovincial and international trade in dairy products.

[Assented to 30th June, 1951.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. This Act may be cited as *The Canada Dairy Products Act*. Short title.

2. In this Act

- | | |
|--|----------------------------|
| | Definitions. |
| (a) "analyst" means an analyst designated for the purposes of the <i>Food and Drugs Act</i> or an analyst employed under the Government of Canada or the government of a province and having authority to make analyses for public purposes; | "analyst".
R.S., c. 76. |
| (b) "dairy product" means milk, cream, butter, cheese, condensed milk, evaporated milk, milk powder, dry milk, ice cream, malted milk, sherbet, or any other product manufactured wholly or mainly from milk; | "dairy product". |
| (c) "grader" means a person appointed as a dairy produce grader pursuant to section seven; | "grader". |
| (d) "inspector" means a person appointed as an inspector pursuant to section seven; | "inspector". |
| (e) "Minister" means the Minister of Agriculture; | "Minister" |
| (f) "package" means a receptacle or covering used for the packing, wrapping or covering of a dairy product; and | "package". |
| (g) "prescribed" means prescribed by regulation under this Act. | "prescribed". |

PART I.

STANDARDS.

Regulations.

3. (1) The Governor in Council may make regulations establishing grades with appropriate grade names for any class of dairy products and, without limiting the generality of the foregoing, may, by such regulations

(a) prescribe the terms and conditions on which and the manner in which dairy products may be graded under this Part;

(b) without limiting the generality of paragraph (a), require, as a condition to the grading of a dairy product under this Part, that it has been produced in an establishment that, at the time of production,

(i) complied with prescribed conditions, and

(ii) was registered in a prescribed manner;

(c) prescribe fees that may be charged for grading by graders; and

(d) prescribe the sizes, dimensions and other specifications of packages in which a dairy product must be packed and the manner in which it must be packed as a condition to application or use of the name of a grade so established.

Prohibitions.

(2) No person shall

(a) sell, offer for sale, or have in possession for sale a dairy product under the name of a grade established under subsection one or under a grade name or other designation so closely resembling the name of a grade so established as to be likely to be mistaken therefor, or

(b) apply to a dairy product or to a package containing a dairy product the name of a grade established under subsection one or a grade name or other designation so closely resembling the name of a grade so established as to be likely to be mistaken therefor,

unless

(i) the dairy product conforms to the standards prescribed for the grade,

(ii) the dairy product has been graded as required by the regulations, and

(iii) the dairy product is packed and marked as required by the regulations.

PART II.

INTERNATIONAL AND INTERPROVINCIAL TRADE.

Export of
dairy
products for
which
grades
established.

4. No person shall, without the consent in writing of the Minister,

(a) export from Canada, or

(b) send or convey from one province to another, a dairy product of a class for which grades have been established under Part I unless the dairy product has been graded under that Part and is packed and marked in accordance with the regulations made under that Part.

5. (1) The Governor in Council may by regulation prohibit

(a) importation into Canada,

(b) exportation out of Canada, or

(c) sending or conveyance from one province to another, of a dairy product of any class unless it complies with prescribed standards, has been produced in accordance with prescribed conditions and is packed and marked in prescribed manner.

Export or
import of
dairy
products not
complying
with pre-
scribed
standards.

(2) No person shall

(a) import into Canada,

(b) export from Canada, or

(c) send or convey from one province to another, a dairy product contrary to a regulation made under this section.

Prohibitions.

6. (1) The Governor in Council may by regulation prohibit

(a) importation into Canada or into one or more designated provinces,

(b) exportation out of Canada or out of one or more designated provinces, or

(c) sending or conveyance from any province to any other province or from any province to one or more designated provinces,

of any class of products that is designated by the regulations as being

(i) milk, cream, butter, cheese, condensed milk, evaporated milk, milk powder, dry milk, ice cream, malted milk or sherbet, that contains fat or oil other than that of milk, or

(ii) a substitute for milk, cream, butter, cheese, condensed milk, evaporated milk, milk powder, dry milk, ice cream, malted milk or sherbet.

Export or
import of
substitutes.

(2) The Governor in Council may, by a regulation made under subsection one, designate any class of products as substitutes for a dairy product for the purpose of the regulation if, in his opinion, products of that class are produced wholly or substantially as substitutes for the dairy product.

Governor in
Council may
designate
substitutes.

- Prohibitions. (3) No person shall
 (a) import into Canada,
 (b) export from Canada, or
 (c) send or convey from one province to another,
 a dairy product or other thing contrary to a regulation made under this section.

PART III.

ADMINISTRATION AND ENFORCEMENT.

- Administration. 7. (1) The Minister of Agriculture shall administer and enforce this Act.
- Inspectors, graders, etc. (2) There shall be appointed under the *Civil Service Act* such inspectors, dairy produce graders and other persons as are necessary for the administration and enforcement of this Act.
- Regulations. (3) The Minister may make regulations, not inconsistent with this Act or regulations made under sections three, five or six, to carry out the purposes and provisions of this Act.
- Powers of inspectors. 8. (1) An inspector may at any time enter a place where he reasonably believes that there are dairy products or other things to which this Act applies and examine any dairy product or other thing found and take samples thereof.
- Production of authority. (2) An inspector shall be furnished with a prescribed certificate of his appointment and, on entering any place under subsection one, shall, if so required, produce the certificate to the person in charge thereof.
- Information and assistance to inspector. (3) The owner or person in charge of a place entered by an inspector under subsection one and every person found therein shall give the inspector all reasonable assistance in his power and furnish him with such information as he may reasonably require.
- Seizure. (4) Whenever an inspector believes on reasonable grounds that this Act has been violated, he may seize the dairy products and other things by means of or in relation to which he reasonably believes the violation was committed.
- Detention. (5) Dairy products and other things seized pursuant to subsection four shall not be detained after
 (a) the provisions of this Act and the regulations have, in the opinion of the inspector, been complied with, or
 (b) the expiration of ninety days from the day of seizure, unless before that time proceedings have been instituted in respect of the violation in which event the dairy products and other things may be detained until the proceedings are finally concluded.

(6) Where a person has been convicted of a violation of this Act, every dairy product or other thing by means of or in relation to which the offence was committed is, upon the conviction, in addition to any penalty imposed, forfeited to His Majesty, whether or not the forfeiture is directed by the conviction, and may be disposed of as the Minister may direct. Forfeiture.

9. (1) No person shall obstruct an inspector or other officer in the carrying out of his duties under this Act. Obstruction of inspector.

(2) No person shall make any false or misleading statement either verbally or in writing to any inspector or other officer engaged in carrying out his duties under this Act. False statements.

10. (1) Every person who, or whose employee or agent, has violated any provision of this Act is guilty of an offence and liable Penalties.

(a) on summary conviction to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding six months or to both fine and imprisonment; or

(b) upon conviction under indictment to a fine not exceeding two thousand dollars or to imprisonment for a term not exceeding one year or to both fine and imprisonment.

(2) In a prosecution for a violation of this Act, it is sufficient proof of the offence to establish that it was committed by an employee or agent of the accused whether or not he is identified or has been prosecuted for the offence. Proof of employment.

11. (1) Proof that a package containing a dairy product bore a name and address purporting to be the name and address of the person by whom it was packed or a registered number purporting to be the registered number of the establishment where it was packed is *prima facie* proof, in a prosecution for a violation of this Act, that the dairy product was packed and that the package was marked by the person whose name and address appeared on the package or by the person operating the establishment whose registered number appeared on the package, as the case may be. Evidence.

(2) A certificate of an analyst stating that he has examined the composition of a sample of a dairy product or other thing submitted to him by an inspector and stating the result of his examination is *prima facie* proof, in a prosecution for a violation of this Act, of the statements contained in the certificate. Certificate of analysis.

Certificate
of grade.

(3) A certificate of a grader as to the grade of a dairy product is *prima facie* proof, in a prosecution for a violation of this Act, of the grade of the product at the time when, according to the certificate, the product was graded and during the period for which the certificate is expressed to be valid.

Admissi-
bility of
certificates.

(4) In a prosecution for a violation of this Act, a document purporting to be the certificate of an analyst or a grader shall be received in evidence without proof of the signature of the person by whom it purports to be signed and without proof of his official position.

Jurisdiction
of magistrates
and justices.

12. A complaint or information in respect of an offence under this Act may be heard, tried or determined by a police or stipendiary magistrate or a justice or justices of the peace if the accused is resident or carrying on business within his or their territorial jurisdiction although the matter of the complaint or information did not arise in his or their territorial jurisdiction.

*Dairy
Industry Act.*
R.S., c. 45.
Short title.

13. (1) Section one of the *Dairy Industry Act* is repealed and the following substituted therefor:

"1. This Act may be cited as *The Milk Test Act*."

Repeal.

(2) Parts I and II of the said Act are repealed.

Repeal.

(3) The heading "Part III—Testing of Glassware Used in Connection with Milk Tests" immediately preceding section twenty-six of the said Act is repealed.

Sections
renumbered
and amended.

(4) Sections twenty-six, twenty-seven, twenty-eight, twenty-nine and thirty of the said Act are renumbered two, three, four, five and six respectively, and the words "this Act" are substituted for the words "this Part" wherever the latter words appear in those sections.

Coming
into force.

14. This Act shall come into force on a day to be fixed by proclamation of the Governor in Council.

OTTAWA: Printed by EDMOND CLOUTIER, C.M.G., O.A., D.S.
Law Printer to the King's Most Excellent Majesty.

15 GEORGE VI.

CHAP. 40.

An Act respecting an Income Tax Convention between Canada and France, signed at Paris on the sixteenth day of March, 1951.

[Assented to 30th June, 1951.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. This Act may be cited as *The Canada-France Income Tax Convention Act, 1951*. Short title.

2. The Convention entered into between Canada and France, set out in the Schedule to this Act, is approved and declared to have the force of law in Canada. Convention approved.

3. In the event of any inconsistency between the provisions of this Act or of the said Convention and the operation of any other law, the provisions of this Act and the Convention shall, to the extent of such inconsistency, prevail. Inconsistent laws.

4. The Minister of National Revenue may make such orders and regulations as are, in his opinion, necessary for the purpose of carrying out the said Convention or for giving effect to any of the provisions thereof. Orders and regulations.

5. This Act shall come into force on a day to be fixed by proclamation of the Governor in Council, and shall continue in force until a day to be fixed by proclamation of the Governor in Council following the termination of the Convention, and no longer. Commencement and duration.

SCHEDULE.

The Government of Canada and the Government of the French Republic, desiring to conclude an Agreement for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income have agreed as follows:

ARTICLE 1.

I.—The taxes which are subject to this Agreement are:

(a) in Canada:

Income taxes, including surtaxes, which are imposed by the Government of Canada;

(b) in France:

(1) The tax on the income of physical persons (proportional tax and progressive surtax);

(2) The tax on companies.

II.—This Agreement shall also apply to any other taxes of a substantially similar character imposed by either contracting Government, subsequent to the signing of this Agreement or in whatever territory to which the present Agreement is extended under Article 21.

ARTICLE 2.

For the purposes of this Agreement:

I.—The term “France” when it is used in the geographical sense, will mean only “Metropolitan” France excluding Algeria, the overseas departments and other territories of the French Union.

II.—The expression “one of the territories” and the “other territory” means France or Canada, as the case may be.

III.—The term “tax” means French taxes or Canadian taxes, as the case may be.

IV.—The term “person” means:

(a) any physical person;

(b) any unincorporated body of physical persons;

(c) any body corporate.

V.—The term “company” means any body having a legal personality.

VI.—The expression “permanent establishment” means offices, branches, factories or other fixed places or business where an enterprise exercises the whole or part of its activity. When an enterprise of one of the contracting States does business in the other State through an

agency established there, it shall not be considered that this enterprise has a permanent establishment in the latter State, unless the agent is authorized to negotiate and conclude contracts or has on hand a stock of merchandise from which he regularly fills orders which he receives.

It is understood that:

- (i) The fact that an enterprise established in one of the two contracting States has business relations with the other country through a commission agent or broker, or through a subsidiary, does not mean that this enterprise has a permanent establishment in the latter State.
- (ii) The fact that an enterprise of one of the two States maintains in the other State, even in the form of permanent installations, places of business restricted to the purchase of merchandise destined to furnish one or several sales or processing establishments, which this enterprise operates in the former State, shall not be interpreted to mean that the enterprise has a permanent establishment in the other State.
- (iii) With respect to insurance enterprises, the fact of having in one of the two contracting States a representative accepted by the authorities of that State or authorized to give receipts for premiums, is considered to constitute a permanent establishment.

VII.—The fiscal domicile of physical persons is the place of normal residence, by which is understood the permanent home, or in the default thereof, the principal place of sojourn. That of legal persons, or of groups of physical persons not having a legal personality, is the place where the effective management is exercised.

VIII.—The expression “industrial and commercial profits” includes particularly the profits of insurance companies, banks and other financial enterprises.

Subject to the provisions of this Agreement there shall be taxed separately or together with the industrial and commercial profits in conformity with the laws of each of the two contracting States:

- (a) The income from real property;
- (b) Interests or dividends;
- (c) Royalties for the use of or the rights to use patents, copyrights, secret processes and formulas, trademarks and other similar rights.

IX.—When it is stated in the provisions of Articles 3, 4, 8, 10, 11 paragraph II, 12, 13 paragraphs I and III, 14 of this Agreement that income is taxable in one of the two contracting States, the statement must be understood to mean that the right is reserved to that State to tax the said income in a normal fashion according to its own legislation, the other State being required to take the measures provided by Article 16 of this Agreement.

X.—The expression “competent authority” or “competent authorities” means in the case of France, the Minister of Finance and of Economic Affairs or his duly authorized representative, and in the case of Canada, the Minister of National Revenue or his duly authorized representative.

XI.—Any expression which is not defined in this Agreement shall have for each contracting State, unless the context otherwise requires, the same meaning which it has under the laws of that State with respect to the taxes referred to in the said Agreement.

ARTICLE 3.

Income from real property, including profits from agricultural undertakings, shall be taxable in the State where such property is situated.

ARTICLE 4.

I.—The income from industrial, mining, commercial, financial and insurance enterprises is taxable by the State in the territory of which there is a permanent establishment.

II.—When an enterprise has permanent establishments in both contracting States, each State shall tax the income derived from the activity of the permanent establishment situated in its territory.

III.—This taxable income shall not exceed the amount of the industrial, mining, commercial or financial profits realized by the permanent establishment, including, if necessary, the profits or advantages derived indirectly from this establishment by way of increase or reduction in the purchase or sale price or by any other means. A portion of the general head office expenses of the enterprise is to be taken into account in computing the profit or loss of the different permanent establishments.

IV.—It is understood between the competent authorities of the contracting States that, if necessary, they will draft rules of allocation, failing proper accounting to show distinctly and exactly the profits of the permanent establishments in the respective territories.

ARTICLE 5.

I.—When a Canadian enterprise, by reason of its participation in the management or capital of a French enterprise, makes or imposes on the latter, in their commercial or financial relations, conditions different from those which would be made with a third enterprise, any profits which should normally have appeared in the financial statement of the French enterprise, but which have been in this manner,

diverted to the Canadian enterprise, are, subject to the measures of appeal applicable in the case of the taxation of industrial and commercial profits, included in the taxable profits of the French enterprise.

The same principle applies *mutatis mutandis*, when profits are diverted from a Canadian enterprise to a French enterprise.

II.—An enterprise is considered to participate in the management or capital of another enterprise, particularly when the same persons participate directly or indirectly in the management of capital of both enterprises.

ARTICLE 6.

I.—Notwithstanding Article 4 of this Agreement the profits of aerial navigation or maritime enterprises having the seat of effective management in one of the two contracting States are exempt from tax in the other contracting State.

II.—The exemption provided in paragraph I is limited to the profits derived from the operation of ships and aircraft. Likewise, is subject with respect to enterprises having the seat of effective management in France, to the condition that the aircraft and ships are registered in this country, and with respect to enterprises having the seat of effective management in Canada, to the condition that the aircraft are registered in this country or that the ships are registered in the said country or in the United Kingdom.

ARTICLE 7.

I.—A company having its fiscal domicile in Canada shall only be subject in France to the proportional tax on income derived from securities under the conditions envisaged in Articles 109, paragraph 2 and 1674 of the “Code français des Impôts” if it has a permanent establishment in France in the sense of Article 2, paragraph VI. In any event the taxable income shall not exceed the amount of profits or earnings realized by the permanent establishment in France, determined in accordance with the provisions of Article 2, paragraph VIII, and 4 of this Agreement.

II.—A company having its fiscal domicile in Canada shall not be subject in France to the proportional tax on income derived from securities by reason of its participation in the management or capital of a company having its fiscal domicile in France, or by reason of any other relations with this company; but the profits distributed by this latter company and subject to the proportional tax on income derived from securities, will, if necessary, be increased, for the purpose of establishing the basis of the tax, by all the profits or advantages which the former company may have received indirectly from the latter company in the circumstances provided by Article 5 above.

ARTICLE 8.

I.—The income derived from securities (Governments bonds, analogous stocks and shares, interests in limited partnerships, shares in civil companies and companies with limited liability, bonds and other evidences of indebtedness, loans, deposits, deposit accounts, current accounts, guarantees), the revenue from trusts and royalties (redevances) or fractions of royalties derived from the operation of oil fields and natural gas, are taxable by the State in the territory of which the debtor has his domicile, when the general legislation of this State authorizes the collection of a tax on this income by deduction at the source.

II.—If the debtor has in both States permanent establishment within the meaning of Article 2, paragraph II, and if one of these establishments borrows or receives a deposit or guarantee in the course of its particular activity, the interest is taxable in that one of the two States in the territory of which this establishment is situated.

III.—The tax deducted at the source under this Article will be credited under the conditions provided by Article 16 against the tax payable in the State of domicile of the creditor.

ARTICLE 9.

I.—Remuneration paid in the form of salaries, wages, fees, pay and pensions by a public person of one of the two contracting States for administrative or military service present or past, is taxable exclusively by the State of the debtor.

Nevertheless, with respect to salaries, wages, fees and pay, taxation by the State of the debtor is subject to the condition that the recipient does not ordinarily reside in the other State, or resides in the latter State, solely for the purpose of fulfilling the duties of his office. When this condition is not fulfilled, the salaries, wages, fees and pay are taxable according to the rules provided in the first paragraph of Article 10 of this Agreement.

II.—Remuneration referred to in the first paragraph includes, with respect to Canada, that paid by the Federal, Provincial and Municipal Governments and, with respect to France, that paid by the State, the “Départements” and the Communes.

ARTICLE 10.

I.—Subject to the provisions of the first paragraph of Article 9 above, the salaries, wages and other analogous remuneration are taxable by the State in whose territory the personal activity, the source of this income, is exercised.

II.—In the application of the preceding paragraph, it shall not be considered as the exercise of personal activity in one of the States if an employee of an establishment situated in the other State carries out in the territory of the first State a temporary mission of short duration in the course of which his remuneration continues to be a charge on and paid by the said establishment.

ARTICLE 11.

I.—Private pensions and term or life annuities derived from one of the two contracting States and paid to persons having their fiscal domicile in the other State are taxable only in the latter State.

II.—Nevertheless, term or life annuities created by will or donation are taxable in the State of the debtor.

ARTICLE 12.

Directors' fees and other remuneration of directors of joint stock companies are taxable according to the provisions of paragraphs I and III of Article 8 above, subject to the application of Article 10 with respect to the remuneration which such persons receive in their other effective capacities.

ARTICLE 13.

I.—Royalties (redevances), other than those referred to in Article 8 of this Agreement, which are paid for the use of real property or the operation of mines, quarries, or other natural resources, are taxable in that one of the two contracting States where such property, mines, quarries, or other natural resources are situated.

II.—Copyright royalties which are paid in one of the two contracting States to a person having its fiscal domicile in the other State are taxable only in this latter State.

Nevertheless, if this person carries on his activity in the former State through a permanent establishment, these rights are taxable in the said State.

III.—The proceeds of royalties (redevances) derived from the sale or licensing of the use of patents, trademarks, secret processes or formulae, are taxable in the State of the debtor.

IV.—The word "royalties" as used in paragraph III of this Article should be understood to include the income from the lease of motion picture films.

ARTICLE 14.

I.—Income derived from the exercise of a liberal profession and generally, all earned income other than that governed by Articles 9, 10, 11 and 12 of this Agreement, is taxable by the State in the territory of which the personal activity is exercised from which is derived the income and to the extent that the activity is exercised in this territory.

II.—Liberal professions within the meaning of this Article shall include particularly scientific, artistic, literary, teaching and pedagogical activity, as well as that of doctors, lawyers, architects and engineers.

ARTICLE 15.

Students of one of the States who sojourn in the other State exclusively for the purpose of their studies, shall not be subject to any tax by the latter State on the remittances which they receive from a person having his fiscal domicile in the first State.

ARTICLE 16.

It is agreed that double taxation shall be avoided in the following manner:

A.—As regards Canada:

Canada shall deduct from the tax which is normally collectable in virtue of its own legislation, the fraction of this tax related to the income which, in virtue of this Agreement, is taxable in France.

Nevertheless, the amount of the deduction to be made in this way shall not exceed the amount of the tax collected in France on the income referred to in the preceding paragraph.

B.—As regards France:

(a) The tax on the income of physical persons (proportional tax) and the tax on companies.

- (1) With respect to the income referred to in Articles 8 and 12 of this Agreement, a deduction of the tax withheld at the source in Canada from that which is collectable in France, will be effected in a lump sum by means of a reduction of fifteen in the rate of the French tax.
- (2) When the income referred to in Articles 3, 4, 9, 10 and 13, paragraph I, of this Agreement is, in virtue of the said Agreement, taxable in Canada, it will be exempt from the taxes in France.
- (3) When the income referred to in Article 11, paragraph II, 13, paragraphs III and IV, and 14 of this Agreement is, in virtue of the said Agreement, taxable in

Canada, the regular amount of the taxes payable in France will be reduced by the fraction of this tax corresponding to the net amount of this income.

Nevertheless, the credit will, if necessary, be limited to the amount of tax collected in Canada.

- (b) The tax on the income of physical persons (progressive surtax). The provisions of paragraph I and II of Article 164 of the "Code français des Impôts" fixing the manner for the taxation of foreigners domiciled or resident in France will continue to be applied.

ARTICLE 17.

Although the French "patente" tax is not referred to in the first Article of this Agreement, it is understood that in the case where the duties to which a Canadian enterprise is liable for this tax by reason of a permanent establishment situated in France are required to be established on the basis of capital, account will only be taken of that portion of the capital situated or employed (investi) in this country.

ARTICLE 18.

Individuals and companies, or other bodies, of one of the two contracting States shall not be subject in the other State, to any taxes other or greater than those which are imposed on individuals and companies, or other bodies, of this latter State.

ARTICLE 19.

The contracting States will exchange information of a fiscal nature which is available to them, or which they are able to obtain under their own legislation and which would be useful to assure the regular assessment and collection of the taxes referred to in this Agreement, as well as the application with respect to these taxes of the legal provisions relative to the prevention of fiscal fraud.

The information so exchanged shall retain its secret nature and shall not be disclosed to persons other than those charged with assessment and collection of the taxes referred to in this Agreement.

The provisions of this Article shall not in any case be considered as requiring one of the contracting States to disclose to the other State, either, information other than that which its own fiscal legislation permits to obtain, or information the furnishing of which would involve the disclosure of industrial, commercial or professional secrets.

Neither shall these provisions be considered as imposing on one of the two contracting States the obligation to perform an administrative act which would be contrary to its regulations or practices.

ARTICLE 20.

I.—Any tax payer who shows proof that the action of the revenue authorities of the two contracting States has resulted in double taxation with respect to the taxes referred to in this Agreement, may lodge a claim with a State in whose jurisdiction he is, or, if the taxpayer is a company or other entity, with the State where such company or entity was created or organized. Should the claim be upheld, the competent authority of this State may come to an agreement with the competent authority of the other State with a view to equitable avoidance of the double taxation.

II.—The competent authorities of the two contracting States may likewise come to an Agreement for the purpose of overcoming double taxation in cases not otherwise provided by this Agreement, as well as in the case where the interpretation or the application of this Agreement gives rise to difficulties or doubts.

ARTICLE 21.

I.—At the same time the Agreement comes into force and so long as the Agreement shall remain in force, either contracting State may, on giving notice to the other State through diplomatic channels, declare its desire that the operation of the Agreement shall, wholly or subject to modifications to be stipulated in the notice, extend either to one of its overseas territories or to one of the overseas territories of the other State, subject to the condition that the said territory collects taxes which are similar in substance to the taxes referred to in Article 1 above.

The notice will indicate the date or dates from which the extension shall take effect, it being understood that such date or dates shall be at least sixty days after the date of the notice.

II.—In the territory or territories designated by the notice referred to in the preceding paragraph the provisions of this Agreement will apply subject to the conditions and reservations which may be stated in the notice, from the date or dates mentioned therein, unless prior to the date fixed for a particular territory the contracting State which will have received notice shall have informed the other contracting State in writing and through diplomatic channels that it does not accept the notification with respect to this territory, in which case, the provisions which are the subject of the notice will not apply to the said territory.

III.—At any time after the expiry of a period of one year from the coming into force of an extension by notice in accordance with the provisions of the first paragraph of this Article, either contracting State may, by notice given to the other contracting State through diplomatic channels, terminate the application of this Agreement to

any territory to which this Agreement may have been extended. The Agreement shall cease to apply in the territory or territories stated in the notice from the date or dates mentioned in this notice.

It is understood, in any event, that such date or dates shall be at least six months after that of the notice and that such shall not affect in any way the continued application of the Agreement between France and Canada, nor shall it affect the continued application as between one of these countries and any other territory to which the Agreement may have been extended in virtue of the provisions of the first paragraph of the present Article.

IV.—In the application of this Agreement in relation to any territory to which it may have been extended it shall be understood, each time that the Agreement refers to France or to Canada, that it will refer equally to such territory.

V.—Unless the two governments shall have expressly agreed to the contrary, the notice of termination of this Agreement, as provided by Article 23, shall terminate the application of this Agreement with respect to any territory to which it may have been extended under the provision of this Article.

VI.—For the purpose of this Article, the expression “overseas territory” means a “département”, colony, protectorate or other overseas territory under the sovereignty or mandate of one of the two contracting States and united by constitutional law to one of these States; but it shall not include territories which do not have diplomatic representation either by France or Canada.

ARTICLE 22.

I.—The present Agreement is drawn up in the French and English languages, the two texts being equally authentic.

II.—The present Agreement shall come into force on a date to be agreed upon by the two Governments.

III.—The information referred to in Article 19 shall be supplied to the extent that it becomes available during the continuance of the Agreement.

ARTICLE 23.

This Agreement shall remain in force for an indefinite period.

However, from the first January 1954, each of the two contracting States may notify the other State during the first six months of each year by writing and through diplomatic channels that it intends to terminate this Agreement.

In such case, this Agreement shall terminate effective from January 1st of the year following the date of notice, it being understood that its application will be limited to the annual taxes which will be assessed for the year during which the notification will have been given.

DONE at Paris, in duplicate, on the 16th day of March one thousand nine hundred and fifty-one.

For the Government of Canada:

G. P. VANIER.

For the Government of the French Republic:

A. PARODI.

OTTAWA: Printed by EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
Law Printer to the King's Most Excellent Majesty.

15 GEORGE VI.

CHAP 41.

An Act respecting a Succession Duty Convention and Protocol between Canada and France, signed at Paris on the sixteenth day of March, 1951.

[Assented to 30th June, 1951.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. This Act may be cited as *The Canada-France Succession Duty Convention Act, 1951*. Short title.

2. The Convention and Protocol entered into between Canada and France, set out in the Schedule to this Act, are approved and declared to have the force of law in Canada. Convention and Protocol approved.

3. In the event of any inconsistency between the provisions of this Act or of the said Convention and Protocol and the operation of any other law, the provisions of this Act and the Convention and Protocol shall, to the extent of such inconsistency, prevail. Inconsistent laws.

4. The Minister of National Revenue may make such orders and regulations as are, in his opinion, necessary for the purpose of carrying out the said Convention and Protocol or for giving effect to any of the provisions thereof. Orders and regulations.

5. This Act shall come into force on a date to be fixed by proclamation of the Governor in Council, and shall continue in force until a day to be fixed by proclamation of the Governor in Council following the termination of the Convention and Protocol, and no longer. Commencement and duration.

SCHEDULE.

CONVENTION BETWEEN THE CANADIAN GOVERNMENT AND THE FRENCH GOVERNMENT CONSTITUTING AN AGREEMENT FOR THE AVOIDANCE OF DOUBLE TAXATION AND THE PREVENTION OF FISCAL EVASION WITH RESPECT TO SUCCESSION DUTIES.

The Government of Canada and the Government of the French Republic, desiring to conclude an Agreement for the avoidance of double taxation and the prevention of fiscal evasion with respect to succession duties, have agreed as follows:

ARTICLE 1.

I.—The taxes which are the object of this Agreement are:

- (a) with respect to France the tax on inheritances;
- (b) with respect to Canada succession duties imposed by the Government of Canada.

II.—This Agreement applies equally to all other similar taxes which may be established for successions by either contracting State after the signing of this Agreement or in whatever territory this Agreement may be extended to as contemplated by the provisions of Article 8 below.

ARTICLE 2.

I.—In this Agreement, unless the context otherwise requires,

- (a) the term “France”, when it is used in the geographical sense, will mean only “Metropolitan” France, excluding Algeria, the overseas departments and other territories of the French Union;
- (b) the term “territory”, when used with respect to one or other of the contracting Governments, means France or Canada as the context requires.

II.—In the application of the provisions of the present Agreement by one or other of the contracting States any term which is not otherwise defined will have, unless the context requires a different interpretation, the meaning which it has under the laws of the said contracting State relative to the taxes which are the subject of the present Agreement.

ARTICLE 3.

For the purpose of this Agreement the question whether a decedent was domiciled in the territory of one of the contracting States at the time of his death shall be determined in conformity with the laws in that territory.

Nevertheless, when a decedent is considered by both States to have his domicile in its territory, the supreme fiscal authorities of France and Canada will determine, by a special agreement, the territory

which, for the application of this Agreement, should be considered as that one in which such person was domiciled.

ARTICLE 4.

The contracting State which imposes a tax at the death of a person who is domiciled at the time of his death in the territory of the other State will allow all exemptions, allowances, and deductions which would have been applicable under its own legislation if the deceased has been domiciled in its territory to an extent at least equal to:

- (a) in the case of an exemption, an amount which bears the same ratio to the total exemption as the value of the property in the said State bears to the value of the total property where-soever situated, and
- (b) in the case of debts and deductions, an amount which bears the same ratio to the total debts and deductions as the value of the property situated in the said State subject to debts and deductions bears to the value of the total property where-soever situated subject to debts and deductions.

ARTICLE 5.

I.—The contracting State which levies a tax on the death of a person who, at the time of his death, was domiciled in its territory will allow against the said tax (as calculated under its own legislation) a credit corresponding to the amount of tax imposed by the other contracting State on the property included in the basis of the tax imposed by both States; but the amount of this credit shall not exceed the portion of the tax collected by the former State on the same property.

II.—For the purposes of this Article the amount of tax assessed by each of the contracting States with respect to any property shall be calculated so as to take into account all allowances, exemptions, credits, remittances, reductions or increases provided by its legislation other than the credit referred to in this Article.

ARTICLE 6.

I.—All claims for credit or refund of tax based on the provisions of this Agreement must be made within a period of five years from the date of the death of the deceased.

II.—Any refund of this nature will be made without interest on the amount refunded.

ARTICLE 7.

I.—To assure the better application of the taxes referred to in this Agreement each of the contracting States undertakes to furnish to the other contracting State the information of a fiscal nature which the competent authorities have at their disposal or are in a position to obtain under the rules of its own legislation and which may be of use to the other State in the assessment of the said taxes.

Such information shall be exchanged directly by the competent fiscal authorities of the two States in the ordinary course or on request.

II.—Pursuant to the foregoing provisions the Minister of National Revenue for Canada shall furnish in the ordinary course to the French Minister of Finance and of Economic Affairs the information which is available to him with respect to the composition of the estate:

- (a) of a decedent, any part of whose estate is subject to the application of the *Dominion Succession Duty Act*, when a portion of the property of the succession is subject in France to the *Inheritance Act*;
- (b) of a decedent who has his domicile in France when the succession includes property situated in Canada.

For his part, the French Minister of Finance and of Economic Affairs shall furnish in the ordinary course to the Minister of National Revenue for Canada the information which is available to him with respect to the composition of the estate:

- (a) of a decedent, any part of whose estate is subject to the inheritance taxes, when a portion of the property included in the succession is subject to the application of the *Dominion Succession Duty Act*;
- (b) of a decedent who has his domicile in Canada when the succession includes property situated in France.

ARTICLE 8.

I.—At the time the Agreement comes into force and so long as the Agreement shall remain in force, either contracting State may, on giving notice to the other State through diplomatic channels, declare its desire that the operation of the Agreement shall, wholly or subject to modifications to be stipulated in the notice, extend either to one of its overseas territories or to one of the overseas territories of the other State, subject to the condition that the said territory collects taxes which are similar in substance to the taxes referred to in Article 1 above.

The notice will indicate the date or dates from which the extension shall take effect, it being understood that such date or dates shall be at least sixty days after the date of the notice.

II.—In the territory or territories designated by the notice referred to in the preceding paragraph, the provisions of this Agreement will apply subject to the conditions and reservations which may be stated in the notice from the date or dates mentioned therein, unless prior to the date fixed for a particular territory the contracting State which will have received notice shall have informed the other contracting State in writing and through diplomatic channels that it does not accept the notification with respect to this territory, in which case, the provisions which are the subject of the notice will not apply to the said territory.

III.—At any time after the expiry of a period of one year from the coming into force of an extension by notice in accordance with the provisions of the first paragraph of this Article, either contracting State may, by notice given to the other contracting State through diplomatic channels, terminate the application of this Agreement to any territory to which this Agreement may have been extended. The Agreement shall cease to apply in the territory or territories stated in the notice from the date or dates mentioned in this notice.

It is understood, in any event, that such date or dates shall be at least six months after that of the notice and that such shall not affect in any way the continued application of the Agreement between France and Canada nor shall it affect the continued application as between one of these countries and any other territory to which the Agreement may have been extended in virtue of the provisions of the first paragraph of the present Article.

IV.—In the application of this Agreement in relation to any territory to which it may have been extended it shall be understood, each time that the Agreement refers to France or to Canada, that it will refer equally to such territory.

V.—Unless the two Governments shall have expressly agreed to the contrary, the notice of termination of this Agreement, as provided by Article 9, shall terminate the application of this Agreement with respect to any territory to which it may have been extended under the provisions of this Article.

VI.—For the purposes of this Article, the expression “overseas territory” means a department, colony, protectorate or other overseas territory under the sovereignty or mandate of one of the two contracting States and united by constitutional law to one of these States; but it shall not include territories which do not have diplomatic representation either by France or Canada.

ARTICLE 9.

The present Agreement is drawn up in the French and English languages, the two texts being equally authentic.

The present Agreement shall come into force on a date to be agreed upon by the two Governments.

It will remain in force as long as it shall not have been terminated by one of the two Governments after six months' prior notice.

DONE at Paris, in duplicate on the sixteenth day of March one thousand nine hundred and fifty-one.

For the Government of Canada:

GEORGE P. VANIER.

For the Government of the French Republic.

A. PARODI.

PROTOCOL.

At the time of signing the Agreement of this date relative to the prevention of double taxation in the matter of successions in France and in Canada, the two Governments declare that they have agreed as follows:

I.—It is understood that the said Agreement shall not result in the modification of the rules governing the assessment and collection of the duties imposed in each of the States by reason of a death, but shall only have the result of avoiding double taxation by the offsetting of the tax collected in one of the States against the tax paid in the other.

II.—It is understood that gift taxes are not referred to in this Agreement.

III.—The present Agreement shall not apply to the fiscal exemptions allowed or which may be allowed in the future in virtue of the general rules in International Law to diplomatic agents and consuls. To the extent that by reason of such fiscal exemptions succession duties are not levied in the State where the above-mentioned agents exercise their duties it will be for the other State by which they were appointed to levy such duties.

IV.—It is understood that for the application of paragraph II of Article 7:

(a) inheritance taxes are payable in France on the death of a person who was not domiciled there, on the following property:

- (1) Real estate situated in France and rights in real property;
- (2) "Fonds de commerce" (business concerns) situated in France;
- (3) Tangible movables (such as furniture, jewelry, etc.), bank-notes and other currency having legal tender, which are actually in France at the date of death;
- (4) Letters patent, trademarks, copyrights registered in France or used in France, in the absence of a licence;
- (5) Interests and limited partnerships in French companies in which such interests exist;
- (6) Stock and share certificates in French companies, negotiable bonds issued by companies and all other French bodies, whether public or private, as well as rentes or other securities issued by the French State;
- (7) Promissory notes made by a person domiciled in France and bills of exchange drawn on a debtor domiciled in France;
- (8) Cash deposits and particularly bank deposits when the recipient of the deposit is domiciled in France;
- (9) Debts, including mortgages and all other intangible rights, when the debtor is domiciled in France.

(b) the *Dominion Succession Duty Act* applies with respect to the death of a person who is not domiciled in Canada on the following property:

- (1) Rights or interests in or over immovable property, where such immovable property is situated in Canada;
- (2) Rights or interests in or over tangible movable property, where such property is situated in Canada, and, in particular, over bank and currency notes, other forms of currency recognized as legal tender in the place of issue, negotiable bills of exchange and negotiable promissory notes, where such instruments are located in Canada at the time of death;
- (3) Secured debts, where the securities affect or relate to immovable property situated in Canada;
- (4) Bonds or debentures where the certificates evidencing them are located in Canada at the time of death;
- (5) Shares, stock or debenture stock in:
 - (a) a company incorporated in Canada or any of the provinces or territories thereof, and
 - (b) in a company incorporated outside Canada if the certificates evidencing such shares, stock or debenture stock are located in Canada in negotiable form.
- (6) Debenture stock, registered stock or inscribed stock of the Dominion of Canada or any province or political subdivision thereof, registered in Canada;
- (7) Bank accounts, if the accounts are kept in Canada, and money owing by any person residing in Canada whether by promissory note, book debt or otherwise;
- (8) Shares in a partnership where the business is carried on in Canada;
- (9) Choses in action of a deceased person, including rights or interests as a beneficiary under any trust, where such choses in action are properly recoverable or enforceable in Canada.

DONE at Paris, in duplicate, on the sixteenth day of March one thousand nine hundred and fifty-one.

For the Government of Canada:

GEORGE P. VANIER.

For the Government of the French Republic:

A. PARODI.

15 GEORGE VI.

CHAP. 42.

An Act respecting an Income Tax Agreement between Canada and Sweden, signed at Ottawa on the sixth day of April, 1951.

[Assented to 30th June, 1951.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. This Act may be cited as *The Canada-Sweden Income Tax Agreement Act, 1951*. Short title.

2. The Agreement entered into between Canada and Sweden, set out in the Schedule to this Act, is approved and declared to have the force of law in Canada. Agreement approved.

3. In the event of any inconsistency between the provisions of this Act or of the said Agreement and the operation of any other law, the provisions of this Act and the Agreement shall, to the extent of such inconsistency, prevail. Inconsistent laws.

4. The Minister of National Revenue may make such orders and regulations as are, in his opinion, necessary for the purpose of carrying out the said Agreement or for giving effect to any of the provisions thereof. Orders and regulations.

5. This Act shall come into force on a day to be fixed by proclamation of the Governor in Council, and shall continue in force until a day to be fixed by proclamation of the Governor in Council following the termination of the Agreement, and no longer. Commencement and duration.

SCHEDULE.

AGREEMENT BETWEEN THE GOVERNMENT OF CANADA
AND THE ROYAL GOVERNMENT OF SWEDEN FOR
THE AVOIDANCE OF DOUBLE TAXATION AND THE
ESTABLISHMENT OF RULES FOR RECIPROCAL FISCAL
ASSISTANCE IN THE MATTER OF INCOME TAXES

The Government of Canada and the Royal Government of Sweden
Desiring to conclude an Agreement for the avoidance of double
taxation and the prevention of fiscal evasion with respect to taxes on
income

Agree as follows:

ARTICLE I.

1. The taxes which are subject to this Agreement are:

(a) In Canada:

Income taxes, including surtaxes, which are imposed by the
Government of Canada.

(b) In Sweden:

The State income tax, including coupon tax.

2. This Agreement shall also apply to any other taxes of a substantially similar character imposed by Canada subsequent to the signing of this Agreement, and to any other State taxes of a substantially similar character imposed by Sweden subsequent to the signing of this Agreement.

ARTICLE II.

1. In the present Agreement, unless the context otherwise requires:

(a) The terms "one of the territories" and "the other territory" mean Sweden or Canada, as the context requires;

(b) The term "tax" means Swedish tax or Canadian tax, as the context requires;

(c) The term "person" includes any body of persons, corporate or not corporate;

(d) The term "company" includes any body corporate;

(e) The terms "resident of Sweden" and "resident of Canada" mean respectively any person who is resident in Sweden for the purposes of Swedish tax and not resident in Canada for the purposes of Canadian tax and any person who is resident in Canada for the purposes of Canadian tax and not resident in Sweden for the purposes of Swedish tax; a company shall be regarded as resident in Canada if its business is managed and

controlled in Canada and as resident in Sweden if it is incorporated under the laws of Sweden and its business is not managed and controlled in Canada, or if it is not so incorporated but its business is managed and controlled in Sweden;

- (f) The terms "resident of one of the territories" and "resident of the other territory" mean a person who is a resident of Sweden or a person who is a resident of Canada, as the context requires;
- (g) The terms "Swedish enterprise" and "Canadian enterprise" mean respectively an industrial or commercial enterprise or undertaking carried on by a resident of Sweden and an industrial or commercial enterprise or undertaking carried on by a resident of Canada; and the terms "enterprise of one of the territories" and "enterprise of the other territory" mean a Swedish enterprise or a Canadian enterprise, as the context requires;
- (h) The term "permanent establishment" when used with respect to an enterprise of one of the territories, means a branch, office, factory, or other fixed place of business, a mine, quarry or any other place of natural resources subject to exploitation. It also includes a place where building construction is carried on by contract for a period of at least one year, but does not include an agency unless the agent has, and habitually exercises, a general authority to negotiate and conclude contracts on behalf of the enterprise or has a stock of merchandise from which he regularly fills orders on its behalf. In this connexion—
 - (i) An enterprise of one of the territories shall not be deemed to have a permanent establishment in the other territory merely because it carries on business dealings in that other territory through a *bona fide* broker or general commission agent acting in the ordinary course of his business as such;
 - (ii) The fact that an enterprise of one of the territories maintains in the other territory a fixed place of business exclusively for the purchase of goods or merchandise shall not of itself constitute that fixed place of business a permanent establishment of the enterprise;
 - (iii) The fact that a company which is a resident of one of the territories has a subsidiary company which is a resident of the other territory or which carries on a trade or business in that other territory (whether through a permanent establishment or otherwise) shall not of itself constitute that subsidiary company a permanent establishment of its parent company.

2. The term "industrial or commercial profits", as used in the present Agreement, does not include income in the form of dividends, interest, rents or royalties, management charges, or remuneration for labour or personal services.

Subject to the provisions of this Agreement such items of income shall be taxed separately or together with industrial and commercial profits in accordance with the laws of the Contracting States.

3. In the application of the provisions of the present Agreement by one of the Contracting States any term not otherwise defined shall, unless the context otherwise requires, have the meaning which it has under the laws of that Contracting State relating to the taxes which are the subject of the present Agreement.

ARTICLE III.

1. The industrial or commercial profits of a Swedish enterprise shall not be subject to Canadian tax unless the enterprise is engaged in trade or business in Canada through a permanent establishment situated therein. If it is so engaged, tax may be imposed on those profits by Canada, but only on so much of them as is attributable to that permanent establishment.

2. The industrial or commercial profits of a Canadian enterprise shall not be subject to Swedish tax unless the enterprise is engaged in trade or business in Sweden through a permanent establishment situated therein. If it is so engaged, tax may be imposed on those profits by Sweden, but only on so much of them as is attributable to that permanent establishment.

3. Where an enterprise of one of the territories is engaged in trade or business in the other territory through a permanent establishment situated therein, there shall be attributed to such permanent establishment the industrial or commercial profits which it might be expected to derive in that other territory if it were an independent enterprise engaged in the same or similar activities under the same or similar conditions and dealing at arm's length with the enterprise of which it is a permanent establishment.

4. No portion of any profits arising to an enterprise of one of the territories shall be attributed to a permanent establishment situated in the other territory by reason of the mere purchase of goods or merchandise within that other territory by the enterprise.

5. Where a company which is a resident of one of the territories derives profits or income from sources within the other territory, the Government of that other territory shall not impose any form of taxation on dividends paid by the company to persons not resident in that other territory, or any tax in the nature of an undistributed profits tax on undistributed profits of the company, by reason of the fact that those dividends or undistributed profits represent, in whole or in part, profits or income so derived.

ARTICLE IV.

Where

(v) an enterprise of one of the territories participates directly or indirectly in the management, control or capital of an enterprise of the other territory, or

(b) the same persons participate directly or indirectly in the management, control or capital of an enterprise of one of the territories and an enterprise of the other territory, and

in either case conditions are made or imposed between the two enterprises, in their commercial or financial relations, which differ from those which would be made between independent enterprises,

then any profits which would but for those conditions have accrued to one of the enterprises but by reason of those conditions have not so accrued may be included in the profits of that enterprise and taxed accordingly.

ARTICLE V.

Notwithstanding the provisions of Articles III and IV, profits which a resident of one of the territories derives from operating ships or aircraft shall be exempt from tax in the other territory.

ARTICLE VI.

1. The rate of Canadian tax on dividends derived from sources within Canada by a resident of Sweden shall not exceed 15 per cent.

Notwithstanding the provisions of the foregoing paragraph, the Canadian tax on dividends paid to a company which is a resident of Sweden by a company resident in Canada, more than 50 per cent of whose shares which have under all circumstances full voting rights are owned by the former company, shall not exceed 5 per cent.

2. The rate of Swedish coupon tax on dividends paid to a resident of Canada shall not exceed 15 per cent.

Notwithstanding the provisions of the foregoing paragraph the Swedish coupon tax on dividends paid to a company which is a resident of Canada by a company resident in Sweden, more than 50 per cent of whose shares which have under all circumstances full voting rights are owned by the former company, shall not exceed 5 per cent.

3. The rate of Canadian tax on interest, rents, royalties or similar payments from sources within Canada received by a resident of Sweden shall not exceed 15 per cent.

4. The phrase "rents, royalties or similar payments" in paragraph 3 of this Article includes any payment

- (i) for the use in Canada of property,
- (ii) in respect of an invention used in Canada, or
- (iii) for any property, trade name, design or other thing whatsoever used or sold in Canada.

ARTICLE VII.

Copyright royalties and other like payments made in respect of the production or reproduction of any literary, dramatic, musical or artistic work (but not including rents or royalties in respect of motion picture films) and derived from sources within one of the territories by a resident of the other territory shall be exempt from tax in that first-mentioned territory.

ARTICLE VIII.

1. Income of whatever nature derived from real property within the territory of Canada (other than income from mortgages or bonds secured by real property but including a royalty paid in respect of any extraction of natural resources) by a resident of Sweden shall be exempt from tax in Sweden.

2. Any capital sum derived from sources within one of the territories from the sale of patent rights by a resident of the other territory shall be exempt from tax in that first-mentioned territory.

ARTICLE IX.

1. Remuneration (other than pensions) paid by Sweden to an individual for services rendered to Sweden in the discharge of governmental functions shall be exempt from Canadian tax if the individual is a citizen of Sweden.

2. Remuneration (other than pensions) paid by Canada to an individual for services rendered to Canada in the discharge of governmental functions shall be exempt from Swedish tax.

3. The provisions of this Article shall not apply to payments in respect of services rendered in connection with any trade or business carried on by either of the Contracting Governments for purposes of profit.

ARTICLE X.

1. An individual who is a resident of Sweden shall be exempt from Canadian tax on profits or remuneration in respect of personal (including professional) services performed within Canada in any taxation year if—

- (a) he is present within Canada for a period or periods not exceeding in the aggregate 183 days during that year, and
- (b) the services are performed for or on behalf of a person resident in Sweden.

2. An individual who is a resident of Canada shall be exempt from Swedish tax on profits or remuneration in respect of personal (including professional) services performed within Sweden in any year of assessment if—

- (a) he is present within Sweden for a period or periods not exceeding in the aggregate 183 days during that year, and
- (b) the services are performed for or on behalf of a person resident in Canada.

3. The provisions of this Article shall not apply to the profits or remuneration of public entertainers such as stage, motion picture or radio artists, musicians and athletes.

ARTICLE XI.

1. Any pension or annuity derived from sources within Canada by an individual who is a resident of Sweden shall be exempt from Canadian tax.

2. Any pension or annuity derived from sources within Sweden by an individual who is a resident of Canada shall be exempt from Swedish tax.

3. The term "annuity" means a stated sum payable periodically at stated times, during life or during a specified or ascertainable period of time, under an obligation to make the payments in return for adequate and full consideration in money or money's worth.

ARTICLE XII.

A professor or teacher from one of the territories who receives remuneration for teaching, during a period of temporary residence not exceeding two years at a university, college or other establishment for further education in the other territory, shall be exempt from tax in that other territory in respect of that remuneration.

ARTICLE XIII.

A student or business apprentice from one of the territories who is receiving full-time education or training in the other territory shall be exempt from tax in that other territory on payments made to him by persons in the first-mentioned territory for the purposes of his maintenance, education or training.

ARTICLE XIV.

A resident of one of the territories shall be exempt in the other territory from any tax on gains from the sale, transfer, or exchange of capital assets.

ARTICLE XV.

1. As far as may be in accordance with the provisions of the Income Tax Act Canada agrees to allow as a deduction from Canadian tax on any income derived from sources within Sweden the appropriate amount of Swedish tax paid thereon.

The special tax payable in Sweden by public entertainers such as theatre and radio artists, musicians and athletes (*bevillningsavgifter för vissa offentliga föreställningar*) shall be regarded, for purposes of this paragraph, as Swedish tax.

2. Income from sources within Canada which under the laws of Canada and in accordance with this Agreement is subject to tax in Canada either directly or by deduction shall be exempt from Swedish tax:

Provided that where such income is a dividend paid by a company being a resident of Canada to a person resident in Sweden, not being a company, Swedish tax may be charged on the gross amount of the dividend, but the amount of Swedish tax chargeable shall be reduced by a sum equal to 15 per cent of the amount of the dividend so charged:

Provided further that where such income is of a kind mentioned in paragraph 3, of Article VI (other than a royalty or like payment described in Article VII or VIII), paid by a resident of Canada to a person resident in Sweden, whether a company or not, Swedish tax may be charged on the gross amount of such income but the amount of Swedish tax chargeable shall be reduced by a sum equal to 15 per cent of the amount of such income so charged.

3. For the purposes of this Article, profits or remuneration for personal (including professional) services performed in one of the territories shall be deemed to be income from sources within that territory, and the services of an individual whose services are wholly or mainly performed in ships or aircraft operated by a resident of one of the territories shall be deemed to be performed in that territory.

4. The graduated rate of Swedish tax to be imposed on residents of Sweden may be calculated as though income exempted under this Agreement were included in the amount of the total income.

ARTICLE XVI.

The citizens of one of the contracting States, residing within the other contracting State, shall not be subjected to more burdensome taxes than the citizens of the last-mentioned State.

ARTICLE XVII.

Where under the provisions of this Agreement a resident of Canada is exempt or entitled to relief from Swedish tax, similar exemption or relief shall be applied to the undivided estates of deceased persons in so far as one or more of the beneficiaries is a resident of Canada.

ARTICLE XVIII.

1. The competent authorities of the contracting States will exchange information of a fiscal nature which is available to them, or which they are able to obtain under their own legislation and which would be useful to assure the regular assessment and collection of the taxes referred to in this Agreement, as well as the application with respect to these taxes of the legal provisions relative to the prevention of fiscal fraud.

The information so exchanged shall retain its secret nature and shall not be disclosed to persons other than those charged with assessment and collection of the taxes referred to in this Agreement.

The provisions of this Article shall not in any case be considered as requiring one of the contracting States to disclose to the other State information other than that which its own fiscal legislation permits it to obtain, or information of which the furnishing would involve the disclosure of industrial, commercial or professional secrets or trade processes.

Neither shall these provisions be considered as imposing on one of the two contracting States the obligation to perform an administrative act which would be contrary to its regulations or practices.

2. The term "competent authorities" means, in the case of Canada, the Minister of National Revenue or his authorized representative; and in the case of Sweden, the Finance Ministry.

ARTICLE XIX.

1. Any taxpayer who shows proof that the action of the revenue authorities of the two contracting States has resulted in double taxation with respect to the taxes referred to in this Agreement, may lodge a claim with the State in which he resides. Should the claim be upheld, the competent authority of this State may come to an agreement with the competent authority of the other State with a view to equitable avoidance of the double taxation.

2. The competent authorities of the two contracting States may likewise come to an agreement for the purpose of overcoming double taxation in cases not otherwise provided by this Agreement, as well as in the case where the interpretation or the application of this Agreement gives rise to difficulties or doubts.

ARTICLE XX.

The Agreement between Sweden and Canada dated 21st November, 1929, for reciprocal exemption from income tax of profits accruing from the business of shipping shall not have effect for any period for which the present Agreement has effect.

ARTICLE XXI.

1. This Agreement is drafted in the Swedish and English languages, the two texts having equal force. It shall be ratified by the Contracting Governments. Ratification by His Majesty the King of Sweden shall be subject to the consent of the Riksdag.

2. The instruments of ratification shall be exchanged at Stockholm with the shortest delay.

3. The present Agreement shall come into force on the date on which the Instruments of Ratification are exchanged and shall thereupon have effect:

(a) In Sweden:

- (i) as respects tax on income which is assessed in or after the calendar year beginning on 1st January, 1951, being income for which preliminary tax is payable during the period 1st March, 1950, to 28th February, 1951, or any succeeding period;
- (ii) as respects coupon tax on dividends payable on or after 1st January, 1950.

(b) In Canada:

- (i) as respects income tax, including surtax, for the taxation year 1950 and subsequent taxation years;
- (ii) as respects the tax levied under Part II of the Income Tax Act, amounts paid or credited to non-residents on or after 1st January, 1950.

ARTICLE XXII.

The present Agreement shall continue in effect indefinitely but either of the contracting States may, on or before 30th June in any calendar year, give to the other State written notice of termination and, in such event, the present Agreement shall cease to be effective—

(a) In Sweden:

- (i) as respects tax on income for which preliminary tax is payable after the last day of February, in the calendar year next following that in which the notice is given;
- (ii) as respects coupon tax on dividends payable on or after 1st January in the calendar year next following that in which the notice is given.

(b) In Canada:

- (i) as respects income tax, including surtax, for the taxation year next following that in which the notice is given;
- (ii) as respects tax levied under Part II of the Income Tax Act, amounts paid or credited to non-residents on or after 1st January in the calendar year next following that in which the notice is given.

Done in duplicate, at Ottawa this 6th day of April, 1951.
For the Government of Canada:

D. C. ABBOTT.

For the Royal Government of Sweden:

PER WIJKMAN.

15 GEORGE VI.

CHAP. 43.

An Act respecting Canadian National Railways and to authorize the acquisition of the railway of The Quebec Railway, Light and Power Company.

[Assented to 30th June, 1951.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. Canadian National Railway Company (in this Act called "the purchaser") is hereby authorized to purchase from The Quebec Railway, Light and Power Company (in this Act called "the vendor") and the vendor is hereby authorized to sell and transfer to the purchaser, for the price of seven hundred and fifty thousand dollars, the following property (a short description of which is set out in the Schedule, and in this Act called the "property sold"), namely, the electrified railway of the vendor including the right-of-way, roadbed and track, overhead trolley lines and associated equipment, stations, power conversion equipment and rolling-stock.

Authority to purchase railway of The Quebec Railway, Light and Power Company.

2. The property sold shall be conveyed to the purchaser free and clear of all charges, liens or encumbrances affecting it, under or by virtue or in respect of any mortgages, hypothecs, bonds, debentures, debenture stock or other securities, or any taxes, assessments or judgments.

Conveyance free of charges.

3. (1) The transfer of the property sold may be effected by one or more transfers, deeds or conveyances, containing a general description of the property sold, and such documents may, without other registration, be deposited in the office of the Secretary of State of Canada.

Transfer of property.

(2) After the deposit of the documents as provided in subsection one, the purchaser, for the purpose of confirming its title in detail, may, after survey of the property sold

Expropriation.

R.S., c. 64,
R.S., c. 172.

or parts thereof, deposit under the provisions of the *Expropriation Act*, as made applicable to the purchaser by section seventeen of the *Canadian National Railways Act*, detail plans of the property sold or of parts or portions thereof, thereby confirming such title and vesting absolutely in the purchaser, without further compensation being payable to the vendor, so much of the property sold as is shown on the plans so deposited.

Agreement
ratified and
confirmed.

4. The agreement passed before W. R. Larue, N.P., on the fifth day of September, nineteen hundred and forty-seven, between the purchaser and the vendor for the purchase of the line of railway of the vendor extending from St. Joachim to a junction with Canadian National Railways at Cap Tourmente, a distance of five and eight-tenths miles, for the price of seventy-five thousand dollars and as approved by the Order of the Governor in Council dated the thirty-first day of July, nineteen hundred and forty-seven, is hereby ratified and confirmed.

SCHEDULE.

A line of railway in the province of Quebec extending from a junction with Canadian National Railways at the City of Quebec and running in a general easterly direction along the north shore of the St. Lawrence river, passing through Giffard, Montmorency, Boischatel, L'Ange Gardien, Chateau Richer, St. Anne, Beaupre and St. Joachim to a junction with Canadian National Railways, a distance of approximately 25.75 miles.

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15 GEORGE VI.

CHAP. 44.

An Act respecting the construction of a line of railway by Canadian National Railway Company from Sherridon to Lynn Lake, in the Province of Manitoba.

[Assented to 30th June, 1951.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. The Governor in Council may provide for the construction and completion by Canadian National Railway Company (in this Act called "the Company") prior to the first day of November, nineteen hundred and fifty-three, or such later date as the Governor in Council may fix, of the line of railway (in this Act called the "railway line") described in the Schedule.

Construction and completion.

2. The Company shall adopt the principle of competitive bids or tenders in respect of the construction of the railway line in so far as the Company decides not to perform such work or any part thereof with its own forces, but the Company is not bound to accept the lowest or any bid or tender made or obtained nor precluded from negotiating for better prices or terms.

Competitive bids or tenders.

3. Estimates of the mileage of the railway line, the amount to be expended on the construction thereof and the average expenditure per mile are set out in the Schedule, and, except with the approval of the Governor in Council, the Company shall not in performing the work of construction and completion exceed such estimates by more than fifteen per centum.

Maximum expenditure.

4. Subject to the provisions of this Act and the approval of the Governor in Council, the Company may, in respect of the cost of the construction and completion of the railway line, issue notes, obligations, bonds, debentures or other securities (in this Act called "securities"), not exceeding in the aggregate the sum of ten million dollars, bearing such rates of interest and subject to such other terms and conditions as the Governor in Council may approve.

Issue of securities.

Temporary
loans.

5. (1) To enable the work of construction and completion of the railway line to proceed forthwith, the Minister of Finance, upon application made to him by the Company and approved by the Minister of Transport, may, with the approval of the Governor in Council, make temporary loans to the Company out of the Consolidated Revenue Fund, not exceeding ten million dollars, repayable on such terms and at such rates of interest as the Governor in Council may determine and secured by securities that the Company is authorized to issue under section four.

Definitive
securities.

(2) Definitive securities may be issued, not exceeding ten million dollars, and guaranteed under the provisions of this Act, to repay loans made under subsection one, or any part thereof.

Guarantees.

6. (1) The Governor in Council may authorize the guarantee by His Majesty in right of Canada of the principal and interest of the securities that the Company may issue under the provisions of this Act.

Form and
terms.

(2) The guarantee may be in such form and subject to such terms and conditions as the Governor in Council may determine to be appropriate and applicable thereto and may be signed on behalf of His Majesty by the Minister of Finance or such other person as the Governor in Council may designate, and such signature is conclusive evidence for all purposes of the validity of the guarantee and that the provisions of this Act have been complied with.

Guarantees
may be
general or
separate.

(3) Any guarantee under this Act may be either a general guarantee covering the total amount of the issue or a separate guarantee endorsed on each obligation.

Temporary
guarantees.

(4) With the approval of the Governor in Council, temporary guarantees may be made to be subsequently replaced by permanent guarantees.

Deposit of
proceeds of
sale, etc., of
securities.

7. (1) The proceeds of any sale, pledge, or other disposition of any guaranteed securities shall in the first instance be paid into the Consolidated Revenue Fund or shall be deposited to the credit of the Minister of Finance in trust for the Company, in one or more banks designated by him.

Release of
deposits.

(2) The Board of Directors of the Company may authorize application to be made to the Minister of Transport for the release of any part of the proceeds deposited pursuant to subsection one, to the Company for the purpose of meeting expenditures in respect of the construction of the railway line, and the Minister of Transport may approve the applications, and upon the request of the Minister of Transport the Minister of Finance may pay the amount or amounts of such applications or part thereof accordingly.

8. The Minister of Transport shall present to Parliament during the first ten days of each session held prior to the date of completion fixed by or under section one, a statement showing in detail the nature and extent of the work done under the authority of this Act during the previous calendar year, and the expenditure thereon, and the estimated expenditure for the current calendar year, together with the amount of any advances made under section five and the amount of such advances reimbursed, and such further information as the Minister of Transport may direct.

Report to
Parliament.

9. The Company is not required to fence the right of way of the railway line and is not liable in damages by reason only of the absence of fencing.

Fencing.

SCHEDULE

Location	Mileage	Estimates	
		Cost of Construction	Average cost per mile
		\$	\$
From Sherridon to Lynn Lake, in the Province of Manitoba.....	155	14,725,000 00	95,000 00

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15 GEORGE VI.

CHAP. 45.

An Act to authorize the provision of moneys to meet certain capital expenditures made and capital indebtedness incurred by the Canadian National Railways System during the calendar year 1951, and to authorize the guarantee by His Majesty of certain securities to be issued by the Canadian National Railway Company.

[Assented to 30th June, 1951.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. This Act may be cited as *Canadian National Railways Financing and Guarantee Act, 1951*. Short title.

2. In this Act

- (a) "authorized expenditures" means the capital expenditures and increase in working capital authorized by subsection one of section three and capital indebtedness incurred for the purposes set forth therein; Definitions.
"authorized expenditures"
- (b) "National Company" means the Canadian National Railway Company; "National Company".
- (c) "National Railway System" means the National Railway System as defined in *The Canadian National Railways Capital Revision Act, 1937*; "National Railway System".
1937, c. 22.
- (d) "securities" means the notes, obligations, bonds, debentures and other securities described in subsection one of section four. "securities".

3. (1) The National Railway System is hereby authorized to make capital expenditures or incur capital indebtedness in the calendar year 1951 in the following amounts and for the following purposes, namely, Capital expenditures authorized.

Additions and Betterments (less retirements)	\$37,302,823
Acquisition of Securities and Retirement of	
Capital Obligations.....	3,712,000
New Equipment (1951 budget).....	56,722,177

Total.....\$97,737,000

Working capital. and is hereby authorized to increase its working capital by twenty million dollars.

New equipment. (2) The Governor in Council, on the recommendation of the Minister of Transport, may for the acquisition of new equipment authorize the National Railway System to incur commitments during nineteen hundred and fifty-one, in addition to the authorized expenditures, in amounts not exceeding a total of one hundred and eleven million, five hundred and twelve thousand, nine hundred and twenty dollars.

Report to Parliament. (3) The commitments authorized pursuant to subsection two shall be reported to Parliament in an appropriate subsequent annual budget of the National Railway System.

Issue of securities. 4. (1) Subject to the provisions of this Act and with the approval of the Governor in Council, the National Company may issue notes, obligations, bonds, debentures or other securities, bearing such rates of interest and subject to such other terms and conditions as the Governor in Council may approve, to provide amounts required for the authorized expenditures.

Reserves. (2) Amounts available from reserves for depreciation and debt discount amortization may be applied towards meeting the authorized expenditures.

Maximum amount of securities. (3) The aggregate principal amount of securities, not including any securities issued to secure loans made under section six, outstanding at any one time shall not exceed one hundred and one million, two hundred and fifteen thousand dollars.

Guarantee. 5. (1) The Governor in Council may authorize the guarantee by His Majesty in right of Canada of the principal and interest of the securities and may approve or decide the form, manner and conditions of such guarantees.

Signature of guarantees. (2) A guarantee under this Act may be signed on behalf of His Majesty by the Minister of Finance or by such other person as the Governor in Council may designate, and such signature is conclusive evidence for all purposes of the validity of the guarantee and that the relative provisions of the Act have been complied with.

Minister of Finance may make temporary loans for capital expenditures. 6. (1) The Minister of Finance, upon applications made to him by the National Company and approved by the Minister of Transport, may, with the approval of the Governor in Council, make temporary loans to the National Company out of the Consolidated Revenue Fund of amounts required for authorized expenditures at such rates of interest and subject to such other terms and conditions as the

Minister of Finance, with the approval of the Governor in Council, may determine, and secured by securities that the National Company is authorized to issue pursuant to this Act.

(2) The aggregate principal amount at any one time outstanding of the loans made pursuant to subsection one shall not exceed one hundred and one million, two hundred and fifteen thousand dollars.

Maximum amount of loans.

(3) Securities may be issued and guaranteed under the provisions of this Act to repay loans, or any parts thereof, made pursuant to subsection one.

Issue of securities.

7. The National Company may aid and assist, in any manner not inconsistent with the terms of section three, any others of the companies and railways comprised in the National Railway System and, without limiting the generality of the foregoing, may for its own requirements and also for the requirements of any others of the said companies and railways

Power to aid other companies.

(a) apply the proceeds of any issue of securities towards meeting authorized expenditures on its own account or on account of any others of the said companies and railways, and

(b) make advances of amounts required for meeting authorized expenditures to any others of the said companies and railways, upon or without any security, at discretion.

8. The proceeds of any sale, pledge or other disposition of any guaranteed securities shall, in the first instance, be paid into the Consolidated Revenue Fund or shall be deposited to the credit of the Minister of Finance, in trust for the National Company, in one or more banks designated by him, and upon applications made to the Minister of Finance by the National Company and approved by the Minister of Transport, shall be paid to the National Company by the Minister of Finance out of the Consolidated Revenue Fund, or on instructions from the Minister of Finance by the banks in which they are deposited, as the case may be, for the purposes stated in such applications.

Proceeds paid to credit of Minister of Finance in trust.

9. (1) Where at any time before the first day of July, nineteen hundred and fifty-two, the available revenues of the National Railway System are not sufficient to pay all the operating and income charges of the National Railway System as and when due, the Minister of Finance, upon applications made to him by the National Company and approved by the Minister of Transport, may, with the

When revenue of National Railway System insufficient to meet operating and income charges.

approval of the Governor in Council, place at the disposal of the National Company such amounts as may be required to enable the National Company to meet all such charges.

Reimburse-
ment.

(2) All amounts placed at the disposal of the National Company pursuant to subsection one shall be reimbursed to the Minister of Finance from the annual revenues of the National Railway System in so far as such revenues are sufficient, and any insufficiency shall be provided for by subsequent deficit appropriation by Parliament.

When revenue
of Trans-
Canada Air
Lines and
subsidiaries
insufficient
to meet
operating
and income
charges.

10. (1) Where, at any time before the first day of July, nineteen hundred and fifty-two, the available revenues of Trans-Canada Air Lines and its subsidiaries are not sufficient to pay all the operating and income charges thereof as and when due, the Minister of Finance upon applications made to him by Trans-Canada Air Lines and approved by the Minister of Trade and Commerce may, with the approval of the Governor in Council, place at the disposal of Trans-Canada Air Lines such amounts as may be required to enable Trans-Canada Air Lines and its subsidiaries to meet all such charges.

Reimburse-
ment.

(2) All amounts placed at the disposal of Trans-Canada Air Lines pursuant to subsection one shall be reimbursed to the Minister of Finance from the annual revenues of Trans-Canada Air Lines and its subsidiaries in so far as such revenues are sufficient, and any insufficiency shall be provided for by subsequent deficit appropriation by Parliament.

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15 GEORGE VI.

CHAP. 46.

An Act respecting Canadian National Railways and to provide for the refunding of matured, maturing and callable financial obligations.

[Assented to 30th June, 1951.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1929, c. 11;
1930, c. 8;
1935, c. 3;
1938, c. 22;
1944-45, c. 9;
1947, c. 30.

1. This Act may be cited as the *Canadian National Railways Refunding Act, 1951*.

Short title.

2. The Governor in Council may provide for the refunding of matured, maturing and callable bonds, debentures, stocks, notes, railway equipment trust certificates, principal instalments payable under hire purchase agreements, obligations and other securities, or any one or more of them, (in this Act called "original securities") of Canadian National Railway Company (in this Act called the "National Company") and of the companies comprised in the National Railway System as defined in *The Canadian National Railways Capital Revision Act, 1937*, or any one or more of them.

Power for refunding.

1937, c. 22.

3. Subject to the provisions of this Act, the National Company may issue notes, obligations, bonds, debentures, or other securities (in this Act called "substituted securities") in respect of any refunding pursuant to this Act, to an aggregate principal amount not exceeding two hundred million dollars, and the Governor in Council may authorize the guarantee by His Majesty in right of Canada, of the principal and interest of the substituted securities.

Issue of substituted securities.

Amount.

Guarantee.

4. (1) Subject to the provisions of this Act, the Governor in Council may, with respect to any refunding pursuant to this Act, approve or decide

Terms and conditions prescribed by Governor in Council.

(a) the kinds of substituted securities to be issued and guaranteed, and the forms and terms thereof;

- (b) the currencies in which any issue or parts thereof may be made;
- (c) the form and manner of the guarantees;
- (d) the times, manner and amount of the issues;
- (e) the method or manner of refunding, whether by exchange or substitution of the substituted securities for the original securities, or by payment of the original securities at maturity or when callable by means of the proceeds of the sale, pledge or other disposition of the substituted securities;
- (f) the terms and conditions of any such exchange or substitution, or of any such sale, pledge or other disposition of the substituted securities;
- (g) the securing, if deemed desirable, of the substituted securities by mortgage, deed of trust or other instrument, and the manner, form, terms and trustees thereof; and
- (h) the manner, terms and conditions of any temporary financing and the expediency thereof.

Guarantees.

(2) A guarantee under this Act may be signed on behalf of His Majesty by the Minister of Finance or by such other person as the Governor in Council may designate, and such signature is conclusive evidence for all purposes of the validity of the guarantee and that the relative provisions of this Act have been complied with.

Deposit
and release
of proceeds.

5. The proceeds of any sale, pledge or other disposition of the substituted securities shall in the first instance be paid into the Consolidated Revenue Fund or shall be deposited to the credit of the Minister of Finance, in trust for the National Company, in one or more banks designated by him, and upon applications made to the Minister of Finance by the National Company and approved by the Minister of Transport, shall be paid to the National Company by the Minister of Finance out of the Consolidated Revenue Fund, or on instructions from the Minister of Finance by the bank in which they are deposited, as the case may be.

Cancellation
and
cremation
of original
securities.

6. Original securities coming into the possession of the National Company by means of any refunding pursuant to this Act may be cancelled and cremated in the presence of representatives of the Minister of Finance and the National Company and of any trustees affected who desire to be represented, and certificates of such cremation, signed by such representatives, shall be filed with the Minister and the National Company and with any trustees affected who desire the certificates, and any such certificate is conclusive evidence for all purposes of the cancellation and cremation of the original securities to which the certificate relates.

7. (1) The Minister of Finance, upon applications made to him by the National Company and approved by the Minister of Transport, may, with the approval of the Governor in Council, make temporary loans to the National Company out of the Consolidated Revenue Fund for the purpose of paying outstanding securities at maturity or when called of any company referred to in section two, repayable on such terms and at such rates of interest as the Minister of Finance, with the approval of the Governor in Council, may determine and secured by demand notes of the National Company.

Temporary
loans
authorized
to National
Company.

(2) The aggregate principal amount of the loans made pursuant to subsection one shall not exceed two hundred million dollars.

Limitation.

(3) Substituted securities may be issued and guaranteed under the provisions of this Act to repay loans, or any part thereof, made pursuant to subsection one.

Issue and
guarantee of
substituted
securities.

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15 GEORGE VI.

CHAP. 47.

An Act to amend the Criminal Code.

[Assented to 30th June, 1951.]

R.S., c. 36;
1930, c. 11;
1931, c. 28;
1932, cc. 7,
8, 9, 28;
1932-33,
cc. 25, 53;
1934, cc. 11, 47;
1935, cc. 36, 56;
1936, c. 29;
1938, c. 44;
1939, c. 30;
1943-44, c. 23;
1944-45, c. 35;
1946, cc. 5, 20;
1947, cc. 31, 55;
1947-48, cc. 38,
40;
1949 (2nd
Sess.), cc. 2,
13;
1950, cc. 11,
12.

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. (1) Section two of the *Criminal Code*, chapter thirty-six of the Revised Statutes of Canada, 1927, is amended by adding thereto, immediately after paragraph (4) thereof, the following paragraph:

“(4a) ‘Canadian Forces’ means the naval, army and air forces of His Majesty raised by Canada and consist of three Services, namely, the Royal Canadian Navy, the Canadian Army and the Royal Canadian Air Force;”

“Canadian Forces”.

(2) Section two of the said Act is further amended by adding thereto, immediately after paragraph (16) thereof, the following paragraph:

“(16a) ‘His Majesty’s Forces’ means the naval, army and air forces of His Majesty wheresoever raised, and includes the Canadian Forces;”

“His Majesty’s Forces”.

(3) Section two of the said Act is further amended by adding thereto, immediately after paragraph (20) thereof, the following paragraph:

“(20a) ‘military’ shall be construed as relating to all or any of the Services of the Canadian Forces;”

“Military”.

(4) Paragraph (25) of section two of the said Act is repealed and the following substituted therefor:

“(25) ‘offensive weapon’ or ‘weapon’ means

“Offensive weapon”.

(a) anything that is designed to be used as a weapon;
and

(b) anything that a person uses or intends to use as a weapon, whether or not it is designed to be used as a weapon

and, without restricting the generality of the foregoing, includes a firearm, air-gun or air-pistol and ammunition for a firearm, air-gun or air-pistol."

(5) Paragraph (32) of section two of the said Act is repealed and the following substituted therefor:

"Public department".

"(32) 'public department' means a department of the Government of Canada or a branch thereof and a board, commission, corporation or other body that is an agent of His Majesty in right of Canada;"

(6) Paragraph (33) of section two of the said Act, as amended by section two of chapter thirty-nine of the statutes of 1938, is repealed and the following substituted therefor:

"Public officer".

"(33) 'public officer' includes

- (a) an officer of customs or excise;
- (b) an officer of the Canadian Forces;
- (c) an officer of the Royal Canadian Mounted Police; and
- (d) any officer while he is lawfully engaged in enforcing the laws of Canada relating to revenue, customs, trade or navigation;"

2. Section eight of the said Act, as enacted by section three of chapter thirty-nine of the statutes of 1947-48, is repealed and the following substituted therefor:

Government of Canadian Forces not affected.

"8. Nothing in this Act affects any law relating to the government of the Canadian Forces."

3. Paragraph (i) of subsection one of section seventy-four of the said Act is repealed and the following substituted therefor:

Assisting enemy.

"(i) assisting, while in or out of Canada, any enemy at war with Canada, or any armed forces against whom Canadian forces are engaged in hostilities whether or not a state of war exists between Canada and the country whose forces they are, or"

4. Section eighty-two of the said Act is repealed and the following substituted therefor:

Assisting or harbouring deserters or absentees.

"82. Every one who aids, assists, harbours or conceals a person who he knows is a deserter or an absentee without leave from the Canadian Forces is guilty of an offence and liable on summary conviction to a fine not exceeding five hundred dollars but no proceedings shall be instituted under this section without the consent of the Attorney General of Canada."

5. Section eighty-three of the said Act, as enacted by section three of chapter thirty of the statutes of 1939, is repealed and the following substituted therefor:

“83. Every one who resists the execution of a warrant that authorizes a building to be broken open for the purpose of searching for a deserter or an absentee without leave from the Canadian Forces is guilty of an offence and liable on summary conviction to a fine not exceeding two hundred dollars.”

Resisting execution of search warrant.

6. Section eighty-four of the said Act is repealed and the following substituted therefor:

“84. Every one who

- (a) procures, persuades or counsels a member of the Royal Canadian Mounted Police to desert or absent himself without leave;
- (b) aids, assists, harbours or conceals a member of the Royal Canadian Mounted Police whom he knows to be a deserter or absent without leave; or
- (c) aids or assists a member of the Royal Canadian Mounted Police to desert or absent himself without leave, knowing that the member is about to desert or absent himself without leave,

is guilty of an offence and liable on summary conviction to a fine not exceeding five hundred dollars or to imprisonment for six months or to both fine and imprisonment.”

7. Sections one hundred and fifteen to one hundred and twenty-nine of the said Act are repealed and the following substituted therefor:

“115. Every one who carries or has in his custody or possession an offensive weapon for a purpose dangerous to the public peace is guilty of an indictable offence and liable to imprisonment for five years.

Possession of weapon.

“116. Every one who, while carrying an offensive weapon, has custody or possession of anything that he knows is liable to seizure under any law relating to customs, excise, trade or navigation is guilty of an indictable offence and liable to imprisonment for ten years.

Carrying weapon while in possession of anything liable to seizure.

“117. Every one who carries concealed an offensive weapon other than a pistol or revolver is guilty of an offence and liable on summary conviction to a fine not exceeding one hundred dollars or to imprisonment for three months or to both fine and imprisonment.

Carrying concealed weapon.

“118. Every one who carries or has in his custody or possession a shotgun or rifle with a barrel less than twenty inches in length is guilty of an indictable offence and liable to imprisonment for five years.

Short-barrel shotgun or rifle.

Pointing
firearm.

“119. Every one who, without lawful excuse, points at another person a firearm, air-gun or air-pistol, whether loaded or unloaded, is guilty of an offence and liable on summary conviction to a fine not exceeding one hundred dollars and not less than ten dollars or to imprisonment for thirty days.

Delivering
firearms to
minors.

“120. (1) Every one who sells, barter, gives, lends, transfers or delivers a firearm, air-gun or air-pistol or ammunition therefor, to a person under the age of fourteen years who does not have a valid permit in Form 76C is guilty of an offence and liable on summary conviction to a fine not exceeding one hundred dollars and not less than twenty dollars.

Seizure.

(2) Notwithstanding section one hundred and twenty-seven a peace officer who finds a person under the age of fourteen years in possession of a firearm, air-gun, air-pistol or ammunition therefor without a valid permit in Form 76C relating to that firearm, air-gun, air-pistol or ammunition may seize it, and upon seizure it is forfeited to His Majesty and may be disposed of as the Attorney General may direct.

Unauthorized
issue of
certificates
or permits.

“121. Every one who, not being a local registrar of firearms or a person authorized to issue permits, purports to issue a firearms registration certificate or permit, as the case may be, is guilty of an offence and liable on summary conviction to a fine of five hundred dollars or to imprisonment for six months or to both fine and imprisonment.

Unregistered
firearm in
dwelling
house.

“122. (1) Every one is guilty of an offence who has an unregistered firearm in his dwelling house or place of business.

Firearm
elsewhere
than in
dwelling
house
without
permit.

(2) Every one is guilty of an offence who has a firearm elsewhere than in his dwelling house or place of business, unless he has a valid permit in Form 76 or Form 76B relating to that firearm.

Firearm in
motor
vehicle.

(3) Every one who is an occupant of a motor vehicle in which he knows there is a firearm is guilty of an offence unless some occupant of the motor vehicle has a valid permit in Form 76 or Form 76B relating to that firearm.

Buying and
selling
firearms.

(4) Every one is guilty of an offence who conducts, operates, or engages in the business of buying or selling firearms at retail unless he has a permit in Form 76A.

Transfer of
firearm.

(5) Every one who sells, barter or makes a gift of a firearm is guilty of an offence if he delivers it before

(a) it is registered in the name of the purchaser or the person to whom it is bartered or given; or

(b) the purchaser or the person to whom it is bartered or given has obtained a valid permit, as contained in Form 76B, relating to that firearm.

(6) Every one who buys or accepts in barter or as a gift a firearm is guilty of an offence if he receives delivery of it before

Accepting
firearm

(a) it is registered in his name; or

(b) he has obtained a valid permit as contained in Form 76B relating to that firearm.

(7) Every one is guilty of an offence who, upon finding a firearm that he has reasonable grounds to believe has been lost or abandoned, does not forthwith

Finding
firearm.

(a) deliver it to a peace officer; or

(b) report to a peace officer that he has found it.

(8) Every one is guilty of an offence who without lawful authority, the proof of which lies upon him,

Tampering
with serial
number,
certificate
or permit.

(a) alters, defaces or removes a serial number on a firearm; or

(b) alters, defaces or falsifies a firearms registration certificate or permit.

(9) A person who is guilty of an offence under this section is liable

Punishment.

(a) upon conviction under indictment, to imprisonment for two years; or

(b) on summary conviction, to a fine not exceeding five hundred dollars or to imprisonment for six months or to both fine and imprisonment.

“123. (1) A person who conducts, operates or engages in the business of buying and selling firearms at retail

Retail
transactions
in firearms.

(a) shall keep a record of every transaction that he enters into with respect to firearms; and

(b) shall produce that record for inspection at the request of a peace officer.

(2) A person who fails to comply with subsection one is guilty of an offence and liable on summary conviction to a fine not exceeding five hundred dollars or to imprisonment for six months, or to both fine and imprisonment.

Punishment.

“124. (1) The Commissioner shall cause a registry to be maintained in which shall be kept a record of every firearms registration certificate that is issued under the authority of this Act.

Registry.

(2) An application for registration of a firearm shall be made on Form 76B to a local registrar of firearms.

Application
for
registration.

(3) A local registrar of firearms who receives an application for registration of a firearm shall, after signing the application,

(a) send one copy thereof to the Commissioner;

(b) deliver one copy thereof to the applicant; and

(c) retain one copy thereof.

(4) The Commissioner shall, upon receipt of an application for registration of a firearm signed by the applicant and a

Duty of
Com-
missioner.

local registrar of firearms, cause a firearms registration certificate to be issued in the name of the applicant in respect of the firearm described in the application.

Form of
certificate.

(5) Firearms registration certificates shall be in a form to be prescribed by the Commissioner.

Refusal of
application.

(6) A local registrar of firearms shall refuse to accept an application for registration of a firearm that does not bear a serial number sufficient, in his opinion, to distinguish it from other firearms.

Exception.

(7) Subsection six does not apply to firearms that, in the opinion of a local registrar of firearms, are useful or valuable only as antiques.

Evidence of
registration.

(8) A firearms registration certificate is *prima facie* evidence that the firearm to which it relates is registered.

Who may
issue
permits in
Form 76.

“125. (1) A permit in Form 76 or Form 76C may be issued by

(a) the Commissioner or a person authorized in writing by him; or

(b) the Attorney General of a province or a person authorized in writing by him.

(2) A permit in Form 76A may be issued by a local registrar of firearms.

Who may
issue
permits in
Form 76B.

(3) A permit to convey, as contained in Form 76B, may be issued by a local registrar of firearms to authorize a person who buys, accepts in barter, accepts as a gift or finds a firearm that is not registered in his name to convey the firearm from the place where he takes delivery of it or from his place of residence or business to the office of the local registrar of firearms and thence to his place of residence or business.

Permit in
Form 76—
when issued.

(4) A permit in Form 76 shall be issued only where the person who issues it is satisfied that the applicant for the permit requires the firearm to which it relates

(a) to protect his life or property;

(b) for use in connection with his profession or occupation; or

(c) for use in target practice in connection with a shooting club approved by the Attorney General of the province in which the shooting club is situated.

Validity of
permit in
Form 76.

(5) A permit Form 76 or Form 76C is valid until

(a) the expiration of the period for which it is expressed to be issued; or

(b) it is revoked; or

(c) the expiration of the calendar year in which it was issued

whichever is the earliest.

Validity of
Permit in
Form 76A.
Validity of
Permit in
Form 76B.

(6) A permit in Form 76A is valid until it is revoked.

(7) A permit as contained in Form 76B is valid only during the period for which it is expressed to be valid.

(8) Permits shall be supplied in blank by the Commissioner to persons who are authorized to issue them.

Permits
supplied by
Com-
missioner.

“126. Permits may be revoked by any person who is authorized to issue them.

Revocation.

“127. (1) Whenever a peace officer believes on reasonable grounds that an offence is being committed or has been committed against any of the provisions of sections one hundred and fifteen to one hundred and twenty-three, he may search, without warrant, a person or vehicle, or premises other than a dwelling-house, and may seize anything by means of or in relation to which he reasonably believes the offence is being committed or has been committed.

Search and
seizure.

(2) Anything seized pursuant to subsection one may be detained for a period of two months following the day of seizure unless during that period proceedings for violation of any of the sections mentioned in subsection one are undertaken, in which case it may be further detained until the proceedings are finally concluded.

Detention.

(3) Where a person is convicted of an offence against any of the provisions of sections one hundred and fifteen to one hundred and twenty-three, anything by means of or in relation to which the offence was committed, upon such conviction, in addition to any penalty imposed, is forfeited to His Majesty and may be disposed of as the Attorney General may direct.

Forfeiture.

“128. (1) A person does not commit an offence under subsection one or subsection five of section one hundred and twenty-two by doing anything mentioned in those subsections in the ordinary course of conducting, operating or engaging in the business of buying and selling firearms at wholesale.

Persons who
do not
commit
offences.

Wholesalers.

(2) A person does not commit an offence under subsection one of section one hundred and twenty-two by doing anything mentioned in that subsection in the ordinary course of conducting, operating or engaging in

(a) the business of repairing firearms; or

Repairers.

(b) the business of buying and selling firearms or revolvers at retail, if he has a permit in Form 76A.

Retailers.

(3) Notwithstanding anything in sections one hundred and fifteen to one hundred and twenty-two

(a) a member of the Canadian Forces or of the naval, army or air forces of any State other than Canada that are lawfully present in Canada;

Members of
Forces.

(b) a peace officer or public officer; or

(c) an officer under the *Immigration Act*, the *Customs Act* or the *Excise Act*

Peace officers,
public
officers.
Other
officers.

is not guilty of an offence under any of the provisions of those sections by reason only that he has in his possession an offensive weapon for the purpose of his duties or employment.

Definitions.

"129. For the purposes of section one hundred and twenty-one to one hundred and twenty-eight

"Com-
missioner".

(a) 'Commissioner' means the Commissioner of the Royal Canadian Mounted Police;

"Firearm".

(b) 'firearm' means a pistol, revolver or a firearm that is capable of firing bullets in rapid succession during one pressure of the trigger; and

"Local
registrar of
firearms".

(c) 'local registrar of firearms' means

(i) the Commissioner or a person appointed in writing by him; or

(ii) the Attorney General of a province or a person appointed in writing by him."

8. The said Act is further amended by adding thereto, immediately after section one hundred and thirty-two thereof, the following section:

Miscellaneous
offences of a
seditious
nature.

"132A. Every one is guilty of an indictable offence and liable to imprisonment for five years who wilfully

(a) interferes with, impairs or influences the loyalty or discipline of;

(b) publishes, edits, issues, circulates or distributes any writing that advises, counsels or urges insubordination, disloyalty, mutiny or refusal of duty by; or

(c) advises, counsels, urges or in any manner causes insubordination, disloyalty, mutiny or refusal of duty by a member of the Royal Canadian Mounted Police, the Canadian Forces or the naval, army or air forces of a State other than Canada that are lawfully present in Canada."

9. Section one hundred and thirty-four of the said Act is repealed and the following substituted therefor:

Punishment
for seditious
words,
seditious
libel,
seditious
conspiracy.

"134. Every one is guilty of an indictable offence and liable to imprisonment for a term of not more than seven years, who speaks any seditious words or publishes any seditious libel or is a party to any seditious conspiracy."

Repeal.

10. Section one hundred and forty-one of the said Act is repealed.

11. Paragraph (b) of section one hundred and fifty-five of the said Act is repealed and the following substituted therefor:

“(b) ‘office’ includes every office in the gift of the Crown or of any officer appointed by the Crown, and all commissions, civil and military, and all places or employments in any public department or office whatever, and all deputations to any such office and every participation in the profits of any office or deputation; and” “Office”.

12. Section two hundred and nine of the said Act is repealed and the following substituted therefor:

“**209.** Every one is guilty of an indictable offence and is liable to two years’ imprisonment who makes use of the mails for the purpose of transmitting or delivering Making improper use of the mails.

(a) any obscene or immoral book, pamphlet, newspaper, picture, print, engraving, lithograph, photograph or any publication, matter or thing of an indecent, immoral, or scurrilous character;

(b) any letter upon the outside or envelope of which, or any post-card or post band or wrapper upon which, there are words, devices, matters or things of the character aforesaid; or

(c) any letter or circular concerning schemes devised or intended to deceive and defraud the public, or for the purpose of obtaining money under false pretenses.”

13. Section two hundred and thirty-eight of the said Act is amended by adding thereto, immediately after paragraph (j) thereof, the following paragraph:

“(k) having at any time been convicted of an offence under paragraph (a) of section two hundred and ninety-two, section two hundred and ninety-three, subsection one or two of section three hundred and one, or section three hundred and two, is found loitering or wandering in or near a school ground or playground or public park or public bathing area.” Loitering or wandering in or near school ground or playground, etc.

14. (1) Subsection four of section two hundred and eighty-five of the said Act is amended by repealing the proviso thereto after paragraph (b) therein.

(2) Section two hundred and eighty-five of the said Act is further amended by adding thereto, immediately after subsection four thereof, the following subsections:

“(4a) Every one who, while his ability to drive a motor vehicle or automobile is impaired by alcohol or any drug, drives any motor vehicle or automobile, or has the care or control of a motor vehicle or automobile, whether it is in motion or not, is guilty of an offence and liable upon summary conviction or upon conviction under indictment Driving while ability to drive is impaired.

(a) for a first offence, to a fine not exceeding five hundred dollars and not less than fifty dollars or to imprisonment for a term not exceeding three months or to both fine and imprisonment;

(b) for a second offence, to imprisonment for a term not exceeding three months and not less than fourteen days; and

(c) for each subsequent offence, to imprisonment for a term not exceeding one year and not less than three months

and section one thousand and thirty-five, in so far as it authorizes the imposition of a fine in lieu of any punishment otherwise authorized and section one thousand and eighty-one do not apply where a person is convicted for a second offence or any subsequent offence under this subsection.

Conviction under subsection (4a) when charged with offence under subsection (4).

“(4b) In proceedings under subsection four of this section the court may, if it is satisfied that the accused is not guilty of that offence but is guilty of an offence under subsection four a, find him guilty of an offence under subsection four a, and a conviction under that subsection bars further proceedings for any such offence arising out of the same facts.

Presumption of care or control.

“(4c) For the purposes of subsections four and four a, where a person occupies the seat ordinarily occupied by the driver of a motor vehicle or automobile he shall be deemed to have the care or control of the vehicle unless he establishes that he did not enter or mount the vehicle for the purpose of setting it in motion.

Chemical analysis.

“(4d) In any proceedings under subsection four or four a the result of a chemical analysis of a sample of the blood, urine, breath or other bodily substance of a person may be admitted in evidence on the issue whether that person was intoxicated or under the influence of a narcotic drug or whether his ability to drive was impaired by alcohol or a drug, notwithstanding that he was not, before he gave the sample, warned that he need not give the sample or that the results of the analysis of the sample might be used in evidence.

No obligation to give sample.

“(4e) No person is required to give a sample of blood, urine, breath or other bodily substance for chemical analysis for the purposes of this section and evidence that a person refused to give such a sample or that such a sample was not taken is not admissible nor shall such a refusal or the fact that a sample was not taken be the subject of comment by any person in the proceedings.”

15. Paragraph (t) of section three hundred and thirty-five of the said Act is repealed and the following substituted therefor:

“Seaman”.

“(t) ‘seaman’ means any person, other than an officer, who is enrolled in or who pursuant to law is attached or seconded otherwise than as an officer to the Royal Canadian Navy;”

16. Sections three hundred and sixty-four and three hundred and sixty-five of the said Act, as enacted by section ten and section eleven of chapter thirty-nine of the statutes of 1947-48, are repealed and the following substituted therefor:

"364. Every one is guilty of an indictable offence and liable to imprisonment for life, or for any term not less than six months, who steals, Penalty.

(a) a post letter bag; or

(b) a post letter from a post bag or from any post office, or from any officer or person employed in any business of the post office of Canada, or from a mail; or

(c) a post letter containing any chattel, money or valuable security; or

(d) any chattel, money or valuable security from or out of a post letter.

Post
letters, etc

"365. Every one is guilty of an indictable offence and liable to imprisonment for any term not exceeding seven years, and not less than six months, who steals, Penalty.

(a) any post letter, other than post letters referred to in the last preceding section;

(b) any parcel sent by parcel post, or any article contained in any such parcel; or

(c) any key suited to any lock adopted for use by the Post Office Department, and in use on any Canada mail or mail bag.

"365A. Section one thousand and eighty-one does not apply where a person is convicted of an offence under section three hundred and sixty-four or three hundred and sixty-five." Suspended
sentence
not
applicable.

17. Sections four hundred and thirty-two to four hundred and forty of the said Act are repealed and the following substituted therefor:

"432. The Governor in Council may, by notice to be published in the *Canada Gazette*, prescribe distinguishing marks that are appropriated for use on public stores to denote the property of His Majesty therein, whether the stores belong to His Majesty in right of Canada or to His Majesty in any other right. Distinguish-
ing mark on
public stores.

"433. (1) Every one is guilty of an indictable offence and liable to imprisonment for two years who, Applying or
removing
marks with-
out authority.

(a) without lawful authority, the proof of which lies upon him, applies a distinguishing mark to anything; or

Unlawful transactions in public stores.

(b) with intent to conceal the property of His Majesty in public stores, removes, destroys or obliterates, in whole or in part, a distinguishing mark.

(2) Every one who, without lawful authority, the proof of which lies upon him, receives, possesses, keeps, sells or delivers public stores that he knows bear a distinguishing mark is guilty of an offence and liable

(a) upon conviction under indictment, to imprisonment for one year; or

(b) on summary conviction, to a fine not exceeding five hundred dollars or to imprisonment for six months or to both fine and imprisonment.

Definition.

(3) For the purposes of this section, 'distinguishing mark' means a distinguishing mark that is appropriated for use on public stores pursuant to section four hundred and thirty-two.

Selling defective stores to His Majesty.

"434. (1) Every one who knowingly sells or delivers defective stores to His Majesty or commits fraud in connection with the sale, lease or delivery of stores to His Majesty or the manufacture of stores for His Majesty is guilty of an indictable offence and liable to a fine not exceeding fifty thousand dollars or to imprisonment for fourteen years or to both fine and imprisonment.

Offences by officers and employees of corporations.

(2) A director, officer, agent or employee of a corporation that commits, by fraud, an offence under subsection one is guilty of an indictable offence and is liable, upon conviction, to the punishment authorized by subsection one, if the director, officer, agent or employee

(a) knowingly takes part in the fraud; or

(b) knows or has reason to suspect that the fraud is being committed or has been or is about to be committed

without informing the responsible government, or a department thereof, of His Majesty.

Disability.

(3) No person who is convicted of an offence under this section has, after that conviction, capacity to contract with His Majesty or to receive any benefit under a contract between His Majesty and any other person, or to be employed by or to hold office under His Majesty.

Unlawful use of military uniforms or certificates.

"435. Every one who without lawful authority, the proof of which lies upon him,

(a) wears a uniform of the Canadian Forces or any other naval, army or air force or a uniform that is so similar to the uniform of any of those forces that it is likely to be mistaken therefor;

(b) wears a distinctive mark relating to wounds received or service performed in war, or a military medal, ribbon, badge, chevron or any decoration or order that is awarded for war services, or any imitation thereof, or

any mark or device or thing that is likely to be mistaken for any such mark, medal, ribbon, badge, chevron, decoration or order;

(c) has in his possession a certificate of discharge or statement of service from the Canadian Forces or any other naval, army or air force that has not been issued to and does not belong to him; or

(d) has in his possession a commission or warrant or a certificate of discharge or statement of service issued to an officer or person in or who has been in the Canadian Forces or any other naval, army or air force, that contains any alteration that is not verified by the initials of the officer who issued it, or by the initials of some officer thereto lawfully authorized,

is guilty of an offence and liable on summary conviction to a fine not exceeding five hundred dollars or to imprisonment for six months or to both fine and imprisonment.

"436. Every one who buys, receives or detains from a member of the Canadian Forces or a deserter or absentee without leave from those forces any military stores that are owned by His Majesty or for which the member, deserter or absentee without leave is accountable to His Majesty is guilty of an offence and liable

Military stores.

(a) upon conviction under indictment, to imprisonment for five years; or

(b) on summary conviction, to a fine not exceeding five hundred dollars or to imprisonment for six months or to both fine and imprisonment."

18. The said Act is further amended by adding thereto, immediately after section five hundred and nine thereof, the following heading and section:

"Acts Prejudicial to Security.

"509A. (1) Every one who does a prohibited act for a purpose prejudicial to

Acts prejudicial to national security.

(a) the safety or interests of Canada; or

(b) the safety or security of the naval, army or air forces of any State other than Canada that are lawfully present in Canada

is guilty of an indictable offence and liable to imprisonment for ten years.

(2) In this section 'prohibited act' means any act or omission that

Definition.

(a) impairs the efficiency or impedes the working of any vessel, vehicle, aircraft, machinery, apparatus or other thing; or

(b) causes property, by whomsoever it may be owned, to be lost, damaged or destroyed."

19. Section five hundred and seventy-five c of the said Act, as enacted by section eighteen of chapter fifty-five of the statutes of 1947, is amended by adding thereto, immediately after subsection four thereof, the following subsection:

Selection of jury.

“(5) Where an offender pleads guilty to the offence charged in the indictment for which, if he had pleaded not guilty, he would have been tried by jury, and pleads not guilty to being an habitual criminal, a jury shall, for the purpose of determining whether he is an habitual criminal, be selected in the same manner and the accused and the Crown shall be entitled to the same challenges as if the accused had pleaded not guilty to the crime charged in the indictment”.

20. The said Act is further amended by adding thereto, immediately after paragraph (c) of section five hundred and eighty-four, the following paragraph:

Door-to-door mail delivery.

“(d) where the offence is committed in respect of a mail in the course of the door-to-door delivery of the mail, the offence shall be deemed to have been committed in any magisterial jurisdiction through which the mail was carried on that delivery.”

Repeal.

21. Sections six hundred and thirty-nine, six hundred and fifty-one and six hundred and fifty-seven of the said Act are repealed.

22. Subsection one of section nine hundred and twenty-nine of the said Act is repealed and the following substituted therefor:

Who shall be the jury.

“**929.** (1) The twelve persons, or in the province of Alberta the six persons, who in manner aforesaid are ultimately drawn and sworn shall be the jury to try the issues of the indictment, and the names of the persons so drawn and sworn shall be kept apart by themselves until such jury give in their verdict or until they are discharged and then the names shall be returned to the box there to be kept with the other names remaining at that time undrawn, and so *toties quoties* as long as any issue remains to be tried.”

23. Section nine hundred and ninety-one of the said Act is repealed and the following substituted therefor:

Evidence of enrolment.

“**991.** (1) In proceedings under sections four hundred and thirty-three to four hundred and thirty-six evidence that a person was at any time performing duties in the Canadian Forces is *prima facie* evidence that his enrolment in the Canadian Forces prior to that time was regular.

Presumption.

(2) An accused who is charged with an offence under subsection two of section four hundred and thirty-three shall be presumed to have known that the stores in respect

of which the offence is alleged to have been committed bore a distinguishing mark within the meaning of that subsection at the time the offence is alleged to have been committed, if he was, at that time, in the service or employment of His Majesty or a dealer in marine stores or a dealer in old metals.”

24. Subsection four of section one thousand and twenty-three of the said Act, as renumbered by subsection two of section thirty of chapter fifty-five of the statutes of 1947, is repealed and the following substituted therefor:

“(4) No appeal lies to the Supreme Court of Canada under this section unless notice of appeal is served in writing by the appellant upon the other party to the proceedings within fifteen days after the judgment of the Court of Appeal is pronounced or within such further time as may be allowed by the Supreme Court of Canada or a judge thereof.”

Notice
to be
given.

25. Part XXIII of the said Act is repealed.

26. Subparagraphs (ii), (iii) and (iv) of paragraph (c) and paragraph (f) of subsection one of section one thousand one hundred and forty of the said Act are repealed.

Repeal.

27. Forms seventy-six, seventy-six A, seventy-six B, seventy-six C, seventy-six D, seventy-six E and seventy-six F are repealed and the following substituted therefor:

“FORM 76.

FIREARM PERMIT

This permit authorizes _____ of

_____ to have a _____
(Address) elsewhere than in his dwelling-house or place of business for
(insert type of
firearm)
the purpose of _____
(insert purpose for which permit is required)

This permit is valid during the period _____.

(Date of issue).

(Signature of person authorized to issue permits
in Form 76.)

“FORM 76A.

PERMIT TO BUY AND SELL FIREARMS AT RETAIL

This permit authorizes _____
of _____ (Insert name of holder of permit)

to buy and sell firearms at retail.

(Date of issue)

(Signature of person authorized to issue permits).

(Address)

"FORM 76B

PERMIT TO CONVEY FIREARM

This permit authorizes _____ to convey
 the firearm described herein from _____
 _____ to _____
(Place of delivery or place of residence or business) *(Local registrar of firearms)*
 and thence to _____
(Place of residence or business)

This permit is valid only during the period _____.

(Date of Issue)

(Local Registrar of Firearms)

(Address)

APPLICATION TO REGISTER FIREARM

Place _____ DATE _____

Re _____ Certificate No. _____
(Name of Applicant) *(If available)*
(Please show full Christian names)

Description of Firearm

Make of Firearm	R or A	Cal.	Model	Ser. No.	No. Shots	Bbl. Lgth.
	()					

(NOTE: (R) Revolver (A) Automatic)

Obtained by: Purchase, Exchange, Gift, Found

Obtained from _____

Certificate No. _____ Address _____

Occupation of Applicant _____

Purpose for which firearm required _____

(Signature of Applicant)
 Address: _____

Registered under the authority of
 section 124 of the Criminal Code of Canada

(Local Registrar of Firearms)

(Date of issue)

(Address)

TRANSFER COMPLETED

Date _____ Initialed by _____ Police Department _____

“FORM 76C

PERMIT FOR A MINOR TO ACQUIRE FIREARMS

This permit authorizes.....
of.....
aged.....years, to acquire and have in his possession the firearm, air-gun,
air-pistol or ammunition therefor, described as follows:
.....
This permit is valid during the period.....
.....
Date of Issue

.....
(signature of person authorized to
issue permits)
.....
(Address)“

OTTAWA: Printed by EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
Law Printer to the King's Most Excellent Majesty.

15 GEORGE VI.

CHAP. 48.

An Act to amend The Dominion Elections Act, 1938.

[Assented to 30th June, 1951.]

HIS MAJESTY, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1938, c. 46;
1947-48, c. 46;
1950, c. 35.

1. (1) Subsection one of section forty-five of *The Dominion Elections Act, 1938*, chapter forty-six of the statutes of 1938, is repealed and the following substituted therefor:—

“45. (1) Voting shall be by ballot, and each elector shall receive from the deputy returning officer a ballot paper, on the back of which such officer has, as prescribed in subsection (1A) of section thirty-six of this Act, affixed his initials, so placed, as indicated on the back of Form No. 32, that when the ballot paper is folded the initials can be seen without unfolding the ballot paper.”

Delivery of
ballot paper
to elector.

(2) Subsection three of the said section forty-five is repealed and the following substituted therefor:—

“(3) The elector on receiving the ballot paper, shall forthwith proceed into a voting compartment and there mark his ballot paper by making a cross with a black lead pencil within the space on the ballot paper containing the name and particulars of the candidate (or of each of the candidates) for whom he intends to vote, and he shall then fold the ballot paper as directed so that the initials on the back of it and the printed serial number on the back of the counterfoil can be seen without unfolding it, and hand the ballot paper to the deputy returning officer, who shall, without unfolding it, ascertain by examination of the above mentioned initials and printed serial number that it is the same ballot paper as that delivered to the elector and if the same he shall forthwith in full view of the elector and all others present, remove and destroy the counterfoil and the deputy returning officer shall himself deposit the ballot paper in the ballot box.”

Mode of
voting.

2. The said Act is further amended by adding thereto the following section:—

Northwest
Territories
elections to
be conducted
in accordance
with this Act.

“111A. (1) Elections of members to the Council of the Northwest Territories (in this section called “Northwest Territories elections”) shall be conducted in accordance with the provisions of this Act, subject to this section and to such adaptations and modifications as the Chief Electoral Officer, with the approval of the Commissioner of the Northwest Territories, directs as being necessary by reason of conditions existing in the Northwest Territories to conduct effectually Northwest Territories elections.

Procedure.

(2) The procedure prescribed by section one hundred and eight shall be followed in the preparation, revision and distribution of the list of electors for Northwest Territories elections.

Sections not
applicable.

(3) Sections fourteen, sixteen, nineteen and twenty do not apply to Northwest Territories elections.

First
elections.

(4) For the Northwest Territories election first held after the coming into force of section eight A of the *Northwest Territories Act*, the qualifications for electors shall be those established pursuant to that section and in force three months prior to the polling day for such election and, for subsequent Northwest Territories elections, the qualifications for electors shall be those established pursuant to that section and in force six months prior to the polling day for such elections.

Coming
into force.

(5) Notwithstanding the provision of section one hundred and ten of this Act, this section shall come into force on the date upon which it is assented to.”

3. Form No. 32—Back of the said Form in Schedule One to the said Act is repealed and the following form substituted therefor:—

"FORM No. 32 (*Concluded*)

FORM OF BALLOT PAPER

BACK

No. 325

(Line of perforations here)

No. 325

(Line of perforations here)

Space for initials of D.R.O.

DOMINION ELECTIONS ACT
1935
GENERAL ELECTION
ELECTORAL DISTRICT OF
GRANDVIEW
ONT.
OFFICIAL BALLOT PAPER

(Line of perforations here)

POLLING DAY:
September 14th, 1935.
Printed by JAMES BROWN
260 Slater Street, Ottawa, Ont.

15 GEORGE VI.

CHAP. 49.

An Act to amend The Emergency Gold Mining Assistance Act.

[Assented to 30th June, 1951.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1947-48, c. 15;
1949 (2nd
Sess.), c. 20;
1950, c. 50.

1. (1) Subsection five of section three of *The Emergency Gold Mining Assistance Act*, chapter fifteen of the statutes of 1947-48, as enacted by subsection two of section one of chapter twenty of the statutes of 1949 (Second Session), is repealed and the following substituted therefor:

“(5) Notwithstanding anything in this section, the sum that may be paid in respect of gold produced from a mine and sold in the designated year nineteen hundred and fifty, shall be the amount calculated as prescribed in subsection two, two *a*, three or four, as the case may be, less the amount obtained by multiplying three dollars and fifty cents by a fraction of the number of ounces to which the rate of assistance was applied in such calculation, the numerator of such fraction being the aggregate of

Calculation
for 1950.

(*a*) gold produced from the mine and sold during the first nine months of that designated year, and

(*b*) gold produced from the mine during the first nine months of that designated year and sold after that period of nine months, if in the opinion of the Minister the gold could have been sold during those nine months, and the denominator being the total number of ounces produced from the mine and sold in that designated year, and for the purposes of this subsection the Governor in Council may make regulations for determining the day on which gold shall be deemed to have been sold.”

(2) This section shall be deemed to have come into force on the fifteenth day of June, nineteen hundred and forty-eight.

Coming
into
force.

2. The said Act is further amended by adding thereto, immediately after section three thereof, the following section:

Application
of Act
to 1951.

"3A. This Act applies in respect of gold produced from a mine and sold in the calendar year nineteen hundred and fifty-one, subject to the following modifications:

(a) the expression "designated year" includes the calendar year nineteen hundred and fifty-one;

(b) the expression "base year"

(i) in the case of a mine in which the first year of production commenced on or before the first day of January, nineteen hundred and fifty, means the calendar year nineteen hundred and forty-eight, nineteen hundred and forty-nine or nineteen hundred and fifty, as the operator of the mine may elect, if in the year elected the mine was in production for at least six months, and where the mine was in production for less than six months in each of the said years, means the first period of twelve months following the first day of July, nineteen hundred and fifty, in which the mine was in production for more than six months, and

(ii) in the case of a mine in which the first year of production commenced after the first day of January, nineteen hundred and fifty, means the first year of production;

(c) where the first year of production had not, at the coming into force of this section, been established by or pursuant to paragraph (e) of subsection one of section two of this Act, the expression "first year of production" means the period of twelve months immediately following the day on which the mine came into production for the purposes of section seventy-four of *The Income Tax Act* or, in the case of a mine to which that section did not or does not apply, the day the Minister determines would have been the day on which the mine came into production for the purposes of that section if it had applied to it;

(d) the expression "rate of assistance" means the amount that is fifty per centum of the amount by which the average cost of production of gold from the mine during the calendar year nineteen hundred and fifty-one exceeds twenty-two dollars, but not in any event exceeding eleven dollars and fifty cents;

(e) the expression "one-half" shall be substituted for the expressions "one-third" and "two-thirds" wherever they occur in subsections two, two a, three and four of section three."

15 GEORGE VI.

CHAP. 50.

An Act to amend The Federal District Commission Act, 1927.

1926-27, c. 55;
1928, c. 26;
1943-44, c. 27;
1946, c. 51;
1950, c. 51.

[Assented to 30th June, 1951.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. (1) Subsections one and two of section three of *The Federal District Commission Act, 1927*, chapter fifty-five of the statutes of 1926-27, as enacted by section two of chapter fifty-one of the statutes of 1946, are repealed and the following substituted therefor:

1926-27, c. 55.

“3. (1) There shall be a Commission to be called the Federal District Commission, consisting of twenty members.

Federal
District
Commission.

(2) Eighteen members shall be appointed by the Governor in Council to hold office during pleasure for a period not exceeding five years.”

(2) Subsection five of section three of the said Act, as enacted by section two of chapter fifty-one of the statutes of 1946, is repealed and the following substituted therefor:

“(5) The members appointed by the Governor in Council shall include one member for each province who shall be ordinarily resident in the province for which he is appointed.”

One member
for each
province.

2. The said Act is further amended by adding thereto immediately after section seven thereof, the following section:

“7A. (1) The Commission may construct in the National Capital District, in accordance with plans approved under this Act, a railway and related facilities, and for such purpose may acquire by purchase, lease or otherwise such land and real property as the Commission may, from time to time, deem necessary or expedient.

Power to
construct
railways, etc.

(2) The Commission may sell, convey or lease the railway and related facilities to any railway company or from time

Sale, lease
and
agreements.

to time enter into agreements with any railway company or companies for the sole, joint or several use of such railway or facilities and for the maintenance by such company or companies of such railway or facilities and the operation thereof by any motive power.

Application
of R.S., c. 170

(3) In the exercise of the powers granted by this section such provisions of the *Railway Act* as are susceptible of application thereto shall apply, but nothing in this section shall be deemed to constitute the Commission a railway company save for the purpose of carrying out the provisions of subsection two of this section."

3. The said Act is further amended by adding thereto, immediately after section thirteen thereof, the following section:

Grants in
lieu of taxes.

"13A. The Commission may, with the previous consent of the Governor in Council, pay grants to the appropriate authorities in a municipality in respect of property situated within the municipality in the National Capital District which has been acquired or which is acquired for inclusion in Gatineau Park, the grants not to exceed in any tax year of the municipality amounts estimated by the Commission to be sufficient to compensate such authorities for the loss of tax revenue during that tax year in respect of municipal and school taxes by reason of the acquisition of the property by the Commission."

OTTAWA: Printed by EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
Law Printer to the King's Most Excellent Majesty.

15 GEORGE VI.

CHAP. 51.

An Act to amend The Income Tax Act.

[Assented to 30th June, 1951.]

1947-48, c. 52;
1949 (2nd.
Sess.), c. 25;
1950, c. 40;
1950-51, c. 9.

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. (1) Subparagraph (i) of paragraph (b) of section five of *The Income Tax Act*, chapter fifty-two of the statutes of 1947-48, is repealed and the following substituted therefor:

Income from
office or em-
ployment.

“(i) travelling or personal or living expense allowances expressly fixed in an Act of the Parliament of Canada,”.

(2) The said paragraph (b) is further amended by adding thereto, immediately after subparagraph (iii) thereof, the following subparagraph:

“(iiia) representation or other special allowances received by an agent-general of a province in respect of a period while he was in Ottawa as the agent-general of the province,”.

(3) The said paragraph (b), as amended by section one of chapter twenty-five of the statutes of 1949 (second session), is further amended by deleting the word “or” at the end of subparagraph (iv) thereof, by inserting the word “or” at the end of subparagraph (v) thereof and by inserting the following subparagraph immediately after subparagraph (v) thereof:

“(vi) allowances (not in excess of reasonable amounts) for travelling expenses received by an officer or employee (other than an employee employed in connection with the selling of property or negotiating of contracts for his employer) from his employer if they were computed by reference to time actually spent by the officer or employee travelling away from

(A) the municipality where the employer's establishment at which the officer or employee ordinarily worked or to which he ordinarily made his reports was located, and

(B) the metropolitan area, if there is one, where that establishment was located, in the performance of the duties of his office or employment,”.

(4) The said section five is further amended by repealing all that portion thereof following paragraph (b) thereof and substituting the following therefor:

“minus the deductions permitted by paragraphs (g), (j) and (o) of subsection (1) of section 11 and by subsections (5) to (11), inclusive, of section 11 but without any other deductions whatsoever.”

Application.

(5) This section is applicable to the 1951 and subsequent taxation years.

2. (1) The said Act is further amended by adding thereto, immediately after section eight thereof, the following section:

Certain reserves included in computing income.

“9. There shall be included, in computing the income for a taxation year of a bank to which *The Bank Act* or the *Quebec Savings Banks Act* applies, the amount by which the aggregate of the amounts that, at the end of the year, are set aside or reserved by way of write-down of the value of assets or appropriation to contingency reserves or contingent accounts for the purpose of meeting losses on loans, bad or doubtful debts, depreciation in the value of assets other than bank premises, or other contingencies, is, in the opinion of the Minister of Finance, having regard to all the circumstances, in excess of the reasonable requirements of the bank.”

Application.

(2) This section is applicable to the 1949 and subsequent taxation years.

3. (1) Subsection one of section eleven of the said Act, as amended by section four of chapter twenty-five of the statutes of 1949 (second session) and by section five of chapter forty of the statutes of 1950, is further amended by adding thereto, immediately after paragraph (c) thereof, the following paragraph:

Deductions allowed.

“(ca) such part of a payment

(i) repaying borrowed money used for the purpose of earning income from a business or property (other than property the income from which would be exempt), or

(ii) for property acquired for the purpose of gaining or producing income therefrom or for the purpose of gaining or producing income from a business (other than property the income from which would be exempt),

made by the taxpayer in the year as is by section 7 required to be included in computing the recipient's income for a taxation year.”.

(2) Paragraph (f) of the said subsection one is repealed and the following substituted therefor:

“(f) an amount not exceeding \$900 paid by the taxpayer in the year or within 60 days from the end of the year to or under an approved superannuation fund or plan in respect of services rendered by each employee, officer or director of the taxpayer in the year plus such amount as may be deducted as a special contribution under section 69,”.

Employer's contribution to pension funds.

(3) The said section eleven is further amended by adding the following subsections thereto:

“(9) Where an officer or employee, in a taxation year,
(a) was ordinarily required to carry on the duties of his employment away from his employer's place of business or in different places,
(b) under the contract of employment was required to pay the travelling expenses incurred by him in the performance of the duties of his office or employment, and
(c) was not in receipt of an allowance for travelling expenses that was, by virtue of subparagraph (iv) or (vi) of paragraph (b) of section 5, not included in computing his income and did not claim any deduction for the year under subsection (5), (6) or (7),

Travelling expenses.

there may be deducted, in computing his income from the office or employment for the year, notwithstanding paragraphs (a) and (h) of subsection (1) of section 12, amounts expended by him in the year for travelling in the course of his employment.

“(10) Notwithstanding paragraphs (a) and (h) of subsection (1) of section 12, the following amounts may, if paid by a taxpayer in a taxation year, be deducted in computing his income from an office or employment for the year

Payments by employee in performance of duties.

- (a) annual professional membership dues the payment of which was necessary to maintain a professional status recognized by statute that he was required by his contract of employment to maintain,
- (b) office rent, or salary to an assistant or substitute, the payment of which by the officer or employee was required by the contract of employment,
- (c) the cost of supplies that were consumed directly in the performance of the duties of his office or employment and that the officer or employee was required by the contract of employment to supply and pay for, and
- (d) annual dues to maintain membership in a trade union as defined

(i) by paragraph (r) of subsection (1) of section 2 of 1947-48, c. 54.
The Industrial Relations and Disputes Investigation Act, or

(ii) in any provincial statute providing for the investigation, conciliation or settlement of industrial disputes,

or to maintain membership in an association of public servants the primary object of which is to promote the improvement of the members' conditions of employment or work,

to the extent that he has not been reimbursed, and is not entitled to be reimbursed in respect thereof.

Automobile
used in
performance
of duties.

"(11) Where a deduction may be made under subsection (6) or (9) in computing a taxpayer's income from an office or employment for a taxation year, notwithstanding paragraph (b) of subsection (1) of section 12, there may be deducted, in computing his income from the office or employment for the year, such part, if any, of the capital cost to the taxpayer of an automobile used in the performance of the duties of his office or employment as is allowed by regulation.

Annual dues
for super-
annuation
fund not
deductible.

"(12) Notwithstanding paragraphs (a) and (d) of subsection (10), annual dues are not deductible thereunder in computing a taxpayer's income from his office or employment to the extent that they are, in effect, levied

(a) for or under a superannuation fund or plan,

(b) for or under a fund or plan for annuities, insurance or similar benefits, or

(c) for any other purpose not directly related to the ordinary operating expenses of the association or trade union to which they were paid.

One-half fees
paid to
investment
counsel.

"(13) Notwithstanding paragraphs (a) and (b) of subsection (1) of section 12, there may be deducted, in computing a taxpayer's income from shares or securities for a taxation year, one-half the fees paid by him in the year to an investment counsel for advice as to the advisability of purchasing or selling specific shares or securities.

Investment
counsel
defined.

"(14) For the purpose of subsection (13), 'investment counsel' means a person whose principal business is advising others as to the advisability of purchasing or selling specific shares or securities."

Application.

(4) Subsections thirteen and fourteen of section eleven of the said Act, as enacted by subsection three of this section, are applicable to the 1949 and subsequent taxation years and, subject thereto, this section is applicable to the 1951 and subsequent taxation years.

4. (1) Section thirteen of the said Act is amended by adding the following subsections thereto:

If chief
source of
income not
farming,
etc.

"(3) Where a taxpayer's chief source of income for a taxation year is neither farming nor a combination of farm-

ing and some other source of income, his income for the year shall be deemed to be not less than his income from all sources other than farming (after application of the rule in subsection one) minus the lesser of

(a) one-half his farming loss for the year, or

(b) \$5,000.00.

“(4) For the purpose of subsection (3), a ‘farming loss’ is a loss from farming computed by applying the provisions of this Act respecting computation of income from a business *mutatis mutandis* except that no deduction may be made under paragraph (a) of subsection (1) of section 11.”

(2) This section is applicable to the 1949 and subsequent taxation years. Application.

5. (1) Section nineteen of the said Act is amended by adding thereto the following subsection:

“(3) Subsection (1) does not apply if the loan was made to a subsidiary controlled corporation and it is established that the money that was loaned was used in the subsidiary corporation’s business for the purpose of gaining or producing income.” When ss. (1) not applicable.

(2) This section is applicable to the 1951 and subsequent taxation years. Application.

6. (1) Paragraph (b) of subsection one of section twenty-six of the said Act, as amended by section eleven of chapter twenty-five of the statutes of 1949 (second session), is further amended by deleting the word “or” at the end of subparagraph (v) thereof, by inserting the word “or” at the end of subparagraph (vi) thereof and by adding thereto, immediately after subparagraph (vi) thereof, the following subparagraph:

“(via) for insulin, cortisone, adrenocorticotrophin (ACTH), liver extract injectible for pernicious anaemia or vitamin B12 for pernicious anaemia, purchased for use by the taxpayer, his spouse or any such dependent as prescribed by such a medical practitioner,”. Medical expenses.

(2) This section is applicable to the 1951 and subsequent taxation years. Application.

7. (1) Paragraph (d) of subsection one of section twenty-seven of the said Act, as enacted by section twelve of chapter twenty-five of the statutes of 1949 (second session), is repealed and the following substituted therefor: Dividends received by a corporation.

“(d) was a non-resident corporation more than 25% of the issued share capital of which (having full voting rights under all circumstances) belonged to the receiving corporation,”.

(2) Subsection one F of the said section twenty-seven, as enacted by section eleven of chapter forty of the statutes of 1950, is repealed and the following substituted therefor:

Determina-
tion of
earnings on
winding-up.

“(1F) For the purpose of subsection (1A), the receiving corporation's portion of the payer corporation's earnings for the control period that were available for payment of dividends at a particular time is the amount that would have been payable to the receiving corporation on the winding-up of the payer corporation at that time if the subscribed capital of the corporation being wound up had been repaid and what remained to be distributed on the winding-up were the amount of the earnings that were so available for payment of dividends.”

Application.

(3) Subsection one is applicable to the 1951 and subsequent taxation years.

Coming into
force.

(4) Subsection two shall be deemed to have come into force on June 30, 1950.

Earned
income.

8. (1) Paragraph (a) of subsection five of section thirty-one of the said Act is repealed and the following substituted therefor:

“(a) salary or wages, superannuation or pension benefits, retiring allowances, death benefits, royalties in respect of a work or invention of which the taxpayer was the author or inventor, and amounts allocated to the taxpayer by a trustee under an employees profit sharing plan, and”.

(2) The said section thirty-one, as amended by section fifteen of chapter twenty-five of the statutes of 1949 (second session), is further amended by adding thereto, immediately after subsection seven thereof, the following subsection:

Defence
surtax.

“(7A) There shall be added to the tax of each individual computed under the other provisions of this section for each year a defence surtax equal to 20% of the tax computed under the other provisions of this section for the year.”

Application.

(3) Subsection one is applicable to the 1950 and subsequent taxation years.

Application.

(4) Subsection two is applicable to the 1951 and subsequent taxation years except that, for the 1951 taxation year, the rate of 20% set out in subsection seven A of the said section thirty-one as enacted by subsection two of this section shall be read as 10%.

9. (1) Section thirty-four of the said Act is repealed and the following sections are substituted therefor:

“33A. (1) Where a part of a payment is required, by section 7, to be included in computing the income of a taxpayer resident in Canada for a taxation year and it may reasonably be regarded as a payment of interest in respect of a period of not less than three years, the amount thereof may, at the option of the taxpayer, be deemed not to be income of the taxpayer for the purposes of this Part, in which case the taxpayer shall pay in addition to any other tax payable for the year a tax on the amount thereof equal to the portion thereof that Part payments.

(a) the aggregate of the taxes otherwise payable by the taxpayer under this Part for the taxation year and the two years immediately preceding the taxation year (before making any deduction under section 32, 33, 35 or 38),

is of

(b) the aggregate of the taxpayer's incomes for those three years.

“(2) Where a taxpayer who has elected under subsection (1) that an amount shall be deemed not to be income for the purpose of this Part was not resident in Canada throughout the whole of the taxation year and the two immediately preceding taxation years, the tax payable under this section is the portion of the amount on which the tax is payable that Idem.

(a) the aggregate of the taxes that would have been payable by the taxpayer under this Part for the taxation year and the two immediately preceding taxation years (before making any deduction under section 32, 33, 35 or 38) if he had been resident in Canada throughout those years and his incomes for those years had been from sources in Canada,

is of

(b) the aggregate of the taxpayer's incomes for those three years;

and, in such a case, the election is not valid unless the taxpayer has filed, with his election, a return of his incomes for the two immediately preceding taxation years in the same form and containing the same information as the returns that he would have been required to file under this Part if he had been resident in Canada in those years.

“34. (1) In the case of

(a) a single payment

(i) out of or pursuant to a superannuation or pension fund or plan upon the death, withdrawal or retirement from employment of an employee or former employee or upon the winding-up of the fund or plan in full satisfaction of all rights of the payee in or under the fund or plan, or Winding-up of pension fund, etc.

Recognition
of long
service.

(ii) upon retirement of an employee in recognition of long service and not made out of or under a superannuation fund or plan,

Retirement.

(b) a payment or payments made by an employer to an employee or former employee upon or after retirement in respect of loss of office or employment, or

Payment as a
death benefit.

(c) a payment or payments made as a death benefit, the payment or payments made in a taxation year may, at the option of the taxpayer by whom it is or they are received, be deemed not to be income of the taxpayer for the purpose of this Part, in which case the taxpayer shall pay, in addition to any other tax payable for the year, a tax on the payment or aggregate of the payments equal to the proportion thereof that

(i) the aggregate of the taxes otherwise payable by the employee under this Part for the last year (preceding the taxation year) for which the employee had an income from the office or employment and the two years immediately preceding that year (before making any deduction under section 32, 33, 35 or 38),
is of

(ii) the aggregate of the employee's incomes for those three years.

Employee
not resident
during year
and two
immediately
preceding
years.

“(2) Where a taxpayer has elected that a payment or payments of one of the classes described in paragraphs (a), (b) and (c) of subsection (1) in respect of an employee or former employee who was not resident in Canada throughout the whole of the three years referred to in paragraph (ii) of subsection (1) shall be deemed not to be income of the taxpayer for the purpose of this Part, the tax payable under this section is that portion of the amount on which the tax is payable that

(a) the aggregate of the taxes that would have been payable by the employee under this Part for the three years referred to in paragraph (ii) of subsection (1) (before making any deduction under section 32, 33, 35 or 38) if he had been resident in Canada throughout those years and his incomes for those years had been from sources in Canada,

is of

(b) the aggregate of the employee's incomes for those three years;

and, in such a case, the election is not valid unless the taxpayer has filed with his election, a return of the employee's incomes for each of the three years in the same form and containing the same information as the return that the employee, or his legal representative, would have been required to file under this Part if he had been resident in Canada in those years.”

(2) This section is applicable to the 1951 and subsequent Application.
taxation years.

10. (1) Subparagraph (i) of paragraph (a) of subsection Dividend
one of section thirty-five of the said Act, as enacted by deduction.
section thirteen of chapter forty of the statutes of 1950,
is repealed and the following substituted therefor:

“(i) the aggregate of all dividends received by him in the year from taxable corporations in respect of shares of the capital stock of the corporations from which they were received and of all dividends that he is, by sections 8 and 73 deemed to have received from such a corporation in the year, to the extent that the dividends so received or so deemed to have been received, as the case may be, were included in computing his income for the year.”

(2) This section is applicable to the 1949 and subse- Application.
quent taxation years.

11. (1) Paragraphs (a) and (b) of subsection four of Rate.
section thirty-six of the said Act, as enacted by section
fifteen of chapter forty of the statutes of 1950, are repealed
and the following substituted therefor:

“(a) one of them owned directly or indirectly 70% or more of all the issued common shares of the capital stock of the other, or

“(b) 70% or more of all the issued common shares of the capital stock of each of them is owned directly or indirectly by

(i) one person,

(ii) two or more persons jointly, or

(iii) persons not dealing with each other at arms length one of whom owned directly or indirectly one or more of the shares of the capital stock of each of the corporations.”

(2) This section is applicable to the 1949 and subsequent Application
taxation years.

12. (1) The said Act is further amended by adding thereto, immediately after section thirty-six thereof, the following section:

“**37.** (1) There shall be added to the tax of each cor- Defence
poration otherwise payable under this Part for each taxa- surtax.
tion year a defence surtax equal to 20% of

(a) in the case of a corporation to which subsection (2) of section 36 applies, the tax otherwise payable by the corporation under this Part for the year, and

(b) in any other case, an amount equal to the tax otherwise payable by the corporation under this Part for the year minus the tax that would be otherwise payable by the corporation under this Part for the year if its taxable income for the year or taxable income earned in Canada for the year, as the case may be, were \$10,000.

“(2) In this section, ‘tax otherwise payable’ means the tax otherwise payable before making any deduction under section thirty-eight or any deduction allowed under any other Act from the tax imposed by this Part.”

Application.

(2) This section is applicable to the 1951 and subsequent taxation years but, where a corporation has a 1951 taxation year commencing before January 1, 1951, the defence surtax for the 1951 taxation year is that proportion of the defence surtax for the year computed under subsection one of section thirty-seven as enacted by this section that the number of days in the portion of the taxation year that is in the 1951 calendar year is of the number of days in the whole taxation year.

13. Subsection one of section thirty-nine of the said Act is amended by repealing all that portion thereof preceding paragraph (a) thereof and substituting the following therefor:

Averaging
for farmers
and
fishermen.

“**39.** (1) Where a taxpayer’s chief source of income has been farming or fishing during a taxation year (in this section referred to as the ‘year of averaging’) and the four immediately preceding years (in this section referred to as the ‘preceding years’) and the taxpayer has filed returns of income for the preceding years as required by this Part, if the taxpayer, on or before the day on or before which he was required to file his return of income for the year of averaging, files with the Minister an election in prescribed form, the tax payable under this Part for the year of averaging is an amount determined by the following rules:”.

Rules of
assessment.

14. (1) Section forty-two of the said Act is amended by inserting the following subsection immediately after subsection four thereof:

“(4A) Where a taxpayer has filed the return of income required by section 40 for a taxation year and, within one year from the day on or before which he was required by section 40 to file the return for that year, has filed an amended return for the year claiming a deduction from income under paragraph (d) of subsection (1) of section 26

in respect of a business loss sustained in the taxation year immediately following that year, the Minister shall re-assess the taxpayer's tax for the year."

(2) This section is applicable to the 1950 and subsequent Application. taxation years.

15. Subsection one of section forty-four of the said Act is repealed and the following substituted therefor:

"**44.** (1) Every person paying Withholding.

(a) salary or wages or other remuneration to an officer or employee,

(b) a superannuation or pension benefit,

(c) a retiring allowance,

(d) an amount upon or after the death of an officer or employee, in recognition of his service, to his legal representative or widow or to any other person whatsoever,

(e) an annuity payment, or

(f) fees, commissions or other amounts for services,

at any time in a taxation year shall deduct or withhold therefrom such amount as may be prescribed and shall, at such time as may be prescribed, remit that amount to the Receiver General of Canada on account of the payee's tax for the year under this Part."

16. (1) Subsection two of section forty-seven of the said Special case. Act, as enacted by section twenty-two of chapter twenty-five of the statutes of 1949 (second session), is repealed and the following substituted therefor:

"(2) Where a corporation has held forth the prospect that it will make allocations in proportion to patronage to its customers of a taxation year as described by section 68 and its taxable income for the year is estimated by it to be not more than \$10,000, it may, instead of paying the instalments required by subsection (1), pay to the Receiver General of Canada, at the end of the 12 months' period referred to in subsection (1), the whole of the tax as estimated under section 41."

(2) This section is applicable to the 1951 and subsequent Application. taxation years.

17. The said Act is further amended by inserting the following section immediately after section forty-nine:

"**49A.** (1) Where a person has, on or after the first day of May, 1951, transferred property, either directly or indirectly, by means of a trust or by any other means whatsoever,

(a) to his spouse or to a person who has since become his spouse, or

(b) to a person who was under nineteen years of age, the following rules are applicable:

Tax on income from property transferred between husband and wife or to minors.

(i) the transferee and transferor are jointly and severally liable to pay a part of the transferor's tax under this Part for each taxation year equal to the amount by which the tax for the year is greater than it would have been if it were not for the operation of section 21 or section 22, as the case may be, in respect of income from the property so transferred or from property substituted therefor; and

(ii) the transferee and transferor are jointly and severally liable to pay the lesser of

(A) any amount that the transferor was liable to pay under this Act on the day of the transfer, or

(B) a part of any amount that the transferor was so liable to pay equal to the value of the property so transferred;

but nothing in this subsection shall be deemed to limit the liability of the transferor under any other provision of this Act.

Minister may
assess
transferee.

"(2) The Minister may at any time assess a transferee in respect of any amount payable by virtue of this section and the provisions of this Division are applicable *mutatis mutandis* in respect of an assessment made under this section as though it had been made under section 42.

Rules
applicable.

"(3) Where a transferor and transferee have, by virtue of subsection (1), become jointly and severally liable in respect of part or all of a liability of the transferor under this Act, the following rules are applicable:

(a) a payment by the transferee on account of his liability shall to the extent thereof discharge the joint liability; but

(b) a payment by the transferor on account of his liability only discharges the transferee's liability to the extent that the payment operates to reduce the transferor's liability to an amount less than the amount in respect of which the transferee was, by subsection (1), made jointly and severally liable."

18. (1) Subsection three of section fifty of the said Act, as enacted by section twenty-four of chapter twenty-five of the statutes of 1949 (second session), is repealed and the following substituted therefor:

Special case.

"(3) In addition to the interest payable under subsection (1), where a corporation that paid tax under subsection (2) of section 47 had a taxable income for the taxation year of more than \$10,000, it shall, forthwith after assessment, pay an amount equal to 3% of the tax payable under this Part for the taxation year."

(2) This section is applicable to the 1951 and subsequent Application. taxation years.

19. (1) Subsection one of section fifty-two of the said Act is repealed and the following substituted therefor:

"52. (1) If the return of a taxpayer's income for a Refunds. taxation year has been made within two years from the end of the year, the Minister

(a) may, upon mailing the notice of assessment for the year, refund, without application therefor, any overpayment made on account of the tax, and

(b) shall make such a refund after mailing the notice of assessment if application therefor has been made in writing by the taxpayer within 12 months from the day on which the overpayment was made or the day on which the notice of assessment was sent."

(2) Subsection three of the said section fifty-two is repealed and the following substituted therefor:

"(3) Where an amount in respect of an overpayment is Interest on overpayment. refunded, or applied under this section on other liability, interest at the rate of 2% per annum shall be paid or applied thereon for the period commencing with the latest of

(a) the day when the overpayment arose,

(b) the day on or before which the return of the income in respect of which the tax was paid was required to be filed, or

(c) the day when the return of income was actually filed,

and ending with the day of refunding or application aforesaid, unless the amount of the interest so calculated is less than \$1.00, in which event no interest shall be paid or applied under this subsection."

(3) Subsection one is applicable in respect of applications Application. for refunds made after the first day of May, 1951.

(4) Subsection one of section fifty-two of *The Income Tax* Idem. Act, as enacted by this section, is applicable *mutatis mutandis* to applications for refunds made under the *Income War Tax Act* after the first day of May, 1951. R.S. c. 97.

(5) Subsection two is applicable in respect of overpay- Idem. ments of tax for the 1950 and subsequent taxation years.

20. (1) Paragraph (eb) of subsection one of section fifty-seven, as enacted by section twenty-one of chapter forty of the statutes of 1950, is repealed and the following substituted therefor:

"(eb) a corporation that was constituted exclusively Non-profit corporation. for charitable purposes, no part of whose income was payable to, or was otherwise available for the personal benefit of, any proprietor, member or shareholder

thereof, that has not, since June 1, 1950, acquired control of any other corporation and that, during the period,

- (i) did not carry on any business,
- (ii) had no debts incurred since June 1, 1950, other than obligations arising in respect of salaries, rents and other current operating expenses, and
- (iii) except in the case of a corporation that was, before the 1st day of January, 1940, constituted exclusively for charitable purposes, expended amounts each of which is
 - (A) an expenditure in respect of charitable activities carried on by the corporation itself,
 - (B) a gift to an organization in Canada the income of which for the period is exempt from tax under this Part by virtue of paragraph (ea), or
 - (C) a gift to a corporation resident in Canada the income of which for the period is exempt from tax under this Part by virtue of this paragraph, and
 the aggregate of which is not less than 90% of the corporation's income for the period,".

(2) Paragraph (b) of subsection three of the said section fifty-seven, as enacted by section twenty-one of chapter forty of the statutes of 1950, is repealed and the following substituted therefor:

Gifts.

"(b) there shall be included in computing a corporation's or trust's income all gifts received by the corporation or trust other than

- (i) a gift received subject to a trust or direction that the property given, or property substituted therefor, is to be held permanently by the corporation or trust for the purpose of gaining or producing income therefrom, or
- (ii) a gift or a portion of a gift in respect of which it is established that the donor has not been allowed a deduction under paragraph (a) of subsection (1) of section 26 or a gift made by a person who was not taxable under section 2 for the taxation year in which the gift was made, and".

(3) The said section fifty-seven is further amended by adding thereto the following subsection:

“(4) In computing the income of a corporation or a trust Rules. for the purpose of determining whether it is described by paragraph (eb) or paragraph (ec) of subsection (1) for a taxation year,

(a) there may be deducted an amount not exceeding its income for the year preceding the taxation year computed without including or deducting any amount under this subsection, and

(b) there shall be included any amount that has been deducted under this subsection for the immediately preceding taxation year.”

(4) This section is applicable to the 1950 and subsequent Application. taxation years.

21. (1) The said Act is further amended by inserting the following heading and sections after section sixty thereof:

“Armed Forces.

“60A. (1) A member shall pay upon his income as a Rates. member for a month a tax computed by reference to his taxable income for the month in accordance with a prescribed table prepared on the basis of the rates set out in section 31.

(2) The tax payable under subsection (1) for a month shall Tax deducted. be paid by being deducted from the income as a member payable to him for the month.

(3) Where a member has no income for a taxation year When certain return not required. except

(a) income as a member, or

(b) income as a member and income from other sources not exceeding \$50,

if he does not fall within such class of exceptions to this subsection as may from time to time be prescribed, he is not required to file a return of his income for the year under section 40 and the tax paid under subsection (1) shall, unless he has elected to file a return of income for the year under section 40, be deemed to have been paid in lieu of all tax for the year payable by him under this Part.

(4) Where, in a year when a taxpayer became a member, Idem. he had an office or employment outside the naval, army or air forces before he became a member, and amounts were deducted under subsection (1) of section 44 from his income from the office or employment for the year, if the member had no income for the year except

(a) his income from the office or employment,

(b) his income as a member, and

(c) income from other sources not exceeding \$50,

and he does not fall within a class of prescribed exceptions to subsection (3), he is not required to file a return of

income for the year under section 40 and the amounts so deducted under subsection (1) of section 44 and the tax paid under this section for the year shall, unless he has elected to file a return for the year under section 40, be deemed to have been paid in lieu of all tax for the year under this Part.

Tax deemed
to have been
paid on
account.

(5) Where tax for part or all of a taxation year has been paid by a taxpayer under subsection (1) and the tax so paid, or the tax so paid and other deductions made under this Part, is not, by subsection (3) or (4), deemed to have been paid in lieu of all tax payable by him under this Part for the year, the tax so paid shall be deemed to have been paid on account of the tax otherwise payable by him under this Part for the year.

Return.

(6) Every member shall, from time to time as prescribed, file a return with a prescribed officer of the forces in prescribed form.

Amount
deemed
received.

(7) Where an amount has been deducted under subsection (2) from a member's income as a member, it shall, for all the purposes of this Act, be deemed to have been received by him at that time.

Definitions.
'member'.

(8) In this section

(a) 'member' means a member of the naval, army or air forces of Canada other than such members as may be prescribed;

'income as a
member'.

(b) 'income as a member' for a taxation year means a member's income for the year from his office or employment as a member and 'income as a member' for a month means that portion of a member's income for a year from his office or employment as a member that is payable to him for the month; and

'taxable
income for
a month'.

(c) 'taxable income for a month' of a member means his income as a member for the month minus the aggregate of

(i) that portion of the deductions from income to which he would be entitled under section 25 (not applying the provisions of subsection (2) of section 25 and assuming that the information contained in the last return filed by him under subsection (6) before the beginning of the month were applicable to the whole year) that one is of 12 or, if he became a member after the end of January in the year and did not for the part of the year before he became a member have an income exceeding \$50, that one is of the number of months in the year after the month immediately preceding the month in which he became a member, and

(ii) \$4.00 (in lieu of deductions under section 26), or an amount determined in such manner as may be prescribed for an exceptional class of cases."

"60B. There shall be deducted from

Deductions.

(a) the tax for the year otherwise payable under this Part, and

(b) the tax for a month otherwise payable under section sixty A,

of a member of the naval, army or air forces of Canada an amount equal to one dollar for each day in the year or month, as the case may be, during which he was on duty as a member of the naval, army or air forces of Canada in a zone outside Canada prescribed by a regulation made on the recommendation of the Minister of Finance."

(2) Section sixty A of the *Income Tax Act* as enacted by subsection one is applicable to the month of July, 1951 and subsequent months and section sixty B of the *Income Tax Act* as enacted by subsection one is applicable to the 1951 and subsequent taxation years.

(3) Where amounts have been deducted under subsection one of section forty-four of *The Income Tax Act* from a member's income as a member for some or all of the months of January to June, inclusive, of 1951, if the member has no income for the taxation year 1951 except income as a member or income as a member and income from other sources not exceeding \$50 and he does not fall within a class of prescribed exceptions to subsection three of section sixty A of the said Act, he is not required to file a return of his income for the year under section forty and the amounts so deducted under subsection one of section forty-four and the tax paid under subsection one of section sixty A of the said Act for the other months in 1951 shall, unless he has elected to file a return of income for the year under the said section forty, be deemed to have been paid in lieu of all tax for the year under Part I of the said Act.

Interpretation.

22. (1) Paragraph (b) of subsection two of section sixty-four of the said Act is repealed and the following substituted therefor:

Foreign business corporations.

"(b) has,

(i) within 120 days from the end of the year, filed a return for the year in prescribed form and paid an annual fee of \$100, or

(ii) within 370 days from the end of the year, filed a return for the year in prescribed form and paid an annual fee of \$100 plus a penalty for late filing equal to \$10 for each day of delay after the expiration of the one hundred and twentieth day from the end of the year, and"

(2) The said section sixty-four is further amended by adding the following subsection thereto:

"(4) Where a corporation would have complied, during the whole of a taxation year, with the condition contained

in subparagraph (i) of paragraph (c) of subsection (2) were it not that its business operations during the taxation year were carried on in part in Canada through ownership of shares in or control of one or more subsidiary or affiliated corporations, the corporation shall be deemed to have complied with that condition if, during the whole of the taxation year,

(a) the business operations so carried on in Canada were of a mining nature, and

(b) its main business operations were of an industrial, mining, commercial, public utility or public service nature and were, except for management and the designing, purchasing, and transportation of goods, carried on outside Canada."

Application

(3) This section is applicable to the 1949 and subsequent taxation years.

Annuities.

23. (1) Section seventy-one of the said Act is amended by adding thereto the following subsection:

"(7) For the purpose of this section, an annuity shall be deemed to have been enlarged on or after June 25, 1940, if what is payable under the contract has, at any such time, been increased whether by increasing the amount of each periodic payment, by increasing the number of payments or otherwise."

Application.

(2) This section is applicable to the 1951 and subsequent taxation years.

Undistributed income on hand.

24. (1) Subparagraph (ii) of paragraph (a) of subsection one of section seventy-three A of the said Act, as enacted by section twenty-eight of chapter forty of the statutes of 1950, is repealed and the following substituted therefor:

"(ii) each expense incurred or disbursement made by the corporation during one of those years that was not allowed as a deduction in computing income for one of those years under this Part except

(A) an expense incurred or disbursement made in respect of the acquisition of property (including goodwill) or the repayment of loans or capital,

(B) an outlay or expense the deduction of which was not allowed by reason of subsection (3) of section 12, or

(C) unless the undistributed income on hand is being determined for the purpose of subsection (1) of section 73, any part of the payment referred to in section 69 that has not been allowed as a deduction in computing income for one of those years,".

(2) Subparagraph (vi) of the said paragraph (a) is repealed and the following substituted therefor:

“(vi) dividends paid by the corporation in those years except

(A) a dividend that was paid exclusively out of a surplus or accumulated profits on hand before January 1, 1917, and that was not taxable under the *Income War Tax Act* as income of the recipient other than a dividend or any part of a dividend that is established to have been paid out of income for the 1917 taxation year that was earned before January 1, 1917, or

R.S., c. 97.

(B) a dividend the payment of which was deemed, by subsection (8) of section 9, as enacted by chapter fifty-two of the statutes of 1948, not to have reduced the undistributed income of the corporation,

minus the aggregate of amounts, if any, that were deductible by the shareholders in respect of the dividends under regulations made under subsection (2) of section 11 or that would have been so deductible if the shareholders had been taxable under Part I for the year in which the dividends were received;”.

(3) Paragraph (c) of the said subsection one is repealed and the following substituted therefor:

“(c) a shareholder’s portion of

(i) a corporation’s undistributed income on hand at any time or any portion thereof, or

(ii) a corporation’s tax-paid undistributed income as of any time,

means the amount that would have been payable to him on the winding-up of the corporation at that time if the subscribed capital had been repaid and what remained to be distributed on the winding-up were an amount equal to the undistributed income on hand at that time, the portion of it or the tax-paid undistributed income, as the case may be.”

(4) The said section seventy-three A is further amended by adding thereto the following subsections:

“(7) For the purpose of subparagraphs (iii) and (iv) of paragraph (a) of subsection (1), Interpre-
tation.

(a) where depreciable property of a taxpayer (as defined by subsection (3) of section 20) has been disposed of in 1949 or a subsequent taxation year, the capital loss arising from the disposition shall be deemed not to be more than the actual capital cost of the property to the taxpayer minus the capital cost thereof as determined for the purpose of section 20, and

(b) where depreciable property of a taxpayer (as defined by subsection (3) of section 20) has been disposed of

in 1949 or a subsequent taxation year, the capital profit or gain arising from the disposition shall be deemed not to be more than the proceeds of the disposition (as defined by the said subsection (3)) minus the capital cost of the property to the taxpayer as determined for the purpose of section 20.

Idem.

“(8) For the purpose of subparagraph (vi) of paragraph (a) of subsection (1), in the case of a dividend paid by a corporation that, at the time of payment, was a personal corporation, the dividend shall be deemed to have been an amount equal to the lesser of

(a) the dividend, or

(b) the amount by which

(i) the aggregate of the incomes deemed under section 61 to have been distributed to its shareholders while it was a personal corporation prior to that time,

exceeds

(ii) the aggregate of dividends received from the corporation prior to that time and not included, by virtue of section 61, in computing the incomes of the shareholders by whom they were received.”

Coming into force.

(5) This section shall be deemed to have come into force on June 30, 1950.

Mining companies.

25. (1) Paragraph (b) of subsection one of section seventy-four of the said Act is repealed and the following substituted therefor:

“(b) an industrial mineral mine certified by the Minister of Mines and Technical Surveys to have been operating on mineral deposits (other than bedded deposits such as building stone),”.

(2) All that portion of the said subsection one after paragraph (b) thereof, as enacted by section thirty-four of chapter twenty-five of the statutes of 1949 (second session), is repealed and the following substituted therefor:

Mine.

“that came into production of ore during the calendar years 1946 to 1954, inclusive, income derived from the operation of the mine during the period of 36 months commencing with the day on which the mine came into production (other than any portion thereof in the year 1946) shall, subject to prescribed conditions, not be included in computing the income of the corporation.”

Coming into force.

(3) Subsection one shall be deemed to have come into force on January 18, 1950.

Right to file consolidated return.

26. (1) Section seventy-five of the said Act is repealed.

(2) Where a loss sustained by a corporation in a taxation year has been included in computing the consolidated taxable income under section seventy-five of the said Act

as repealed by this section, the amount thereof shall, for the purposes of paragraph (d) of subsection one of section twenty-six of the said Act, be deemed to have been deducted under that paragraph in the year in which it was so included.

(3) Where a loss sustained by a corporation in a taxation year has been included in computing the consolidated loss under section seventy-five of the said Act, as repealed by this section, the amount thereof shall, for the purposes of paragraph (d) of subsection one of section twenty-six of the said Act be deemed to have been deducted under that paragraph in the year in which it was so included to the extent that it may reasonably be regarded as having operated to reduce the consolidated taxable income for that or another year. Idem.

(4) This section is applicable to the 1952 and subsequent taxation years.” Application.

27. Subsection one of section eighty of the said Act is repealed and the following substituted therefor:

“**80.** (1) An appeal to the Board shall be instituted by filing with the Registrar of the Income Tax Appeal Board a notice of appeal in such form as may be determined by the rules and by serving two copies thereof upon the Minister.” How appeal instituted.

28. Subsection one of section eighty-one of the said Act is repealed and the following substituted therefor:

“**81.** (1) An appellant shall pay to the Registrar of the Income Tax Appeal Board a fee of \$15 upon the filing of the notice of appeal and if the appeal is allowed, in whole or in part, the fee shall be returned to the appellant forthwith after disposition of the appeal but not otherwise.” Fee upon filing notice of appeal.

29. Subsection one of section eighty-nine of the said Act, as enacted by section thirty of chapter forty of the statutes of 1950, is repealed and the following substituted therefor:

“**89.** (1) An appeal to the Exchequer Court shall be instituted by serving upon the taxpayer or the Minister, as the case may be, a notice of appeal in duplicate in such form as may be determined by the rules, by filing a copy thereof with the Registrar of the Exchequer Court and, if the appeal is from the Income Tax Appeal Board, by filing a copy thereof with the Registrar of the Income Tax Appeal Board.” Appeals how instituted.

30. (1) Subsection one of section ninety-five A of the said Act, as enacted by section thirty-two of chapter forty of the statutes of 1950, is repealed and the following substituted therefor:

“**95A.** (1) A corporation may elect, in prescribed manner and in prescribed form, to be assessed and to pay a tax of 15% on an amount equal to its undistributed income on hand at the end of the 1949 taxation year minus its tax-paid undistributed income as of that time.” Corporation election

(2) All that portion of subsection two of the said section ninety-five A preceding paragraph (a) thereof is repealed and the following substituted therefor:

“(2) A corporation other than a subsidiary controlled corporation”.

Repeal.

(3) Subsections three and four of the said section ninety-five A are repealed.

(4) Subsections five to nine, inclusive, of the said section ninety-five A are amended by substituting the word “corporation” for the words “private company” and the word “company” wherever those words or that word appear therein and by substituting the word “corporation’s” for the word “company’s” wherever that word appears therein.

Coming into force.

(5) This section shall be deemed to have come into force on April 10, 1951.

Rents,
royalties, etc.

31. (1) All that portion of paragraph (e) of subsection one of section ninety-six of the said Act after subparagraph (iii) thereof, enacted by section thirty-eight of chapter twenty-five of the statutes of 1949 (second session), is repealed and the following substituted therefor:

“but not including

(A) a royalty or similar payment on or in respect of a copyright, or

(B) a payment in respect of the use by a railway company of railway rolling stock as defined by paragraph (25) of section 2 of the *Railway Act*,”.

R.S., c. 170.

Application.

(2) This section is applicable to amounts paid or credited after 1948.

32. (1) Subsection two of section one hundred and one of the said Act is repealed and the following substituted therefor:

“aggregate
taxable
value”.

“(2) For the purpose of this Part, ‘aggregate taxable value’ is the aggregate value of the gifts made by the donor during the taxation year other than those exempt under subsection (3) or (4) minus

(a) in the case of an individual, either

(i) \$4,000, or

(ii) one-half the difference between the taxable income of the donor for the immediately preceding taxation year as determined under Part I and the tax that was payable thereon under Part I,

whichever is greater, and

(b) in the case of a personal corporation, \$4,000.”

Application.

(2) This section is applicable to gifts made in the 1951 and subsequent taxation years.

33. (1) Subsection one of section one hundred and six of the said Act, as amended by section thirty-nine of chapter forty of the statutes of 1950, is amended by adding thereto, immediately after paragraph (*d*) thereof, the following paragraph: Regulation.

“(da) requiring a person who is, by a regulation made under paragraph (*d*), required to make an information return to supply a copy of the information return or of a prescribed portion thereof to the person or persons in respect of whose income the information return or portion thereof relates.”.

(2) The said subsection one is further amended by adding thereto, immediately after paragraph (*e*) thereof, the following paragraph:

“(f) providing for the retention by way of deduction or set off of the amount of a taxpayer's income tax or other indebtedness under this Act out of any amount or amounts that may be or become payable by His Majesty to him in respect of salary or wages,”.

34. Subsection one of section one hundred and nine of the said Act is repealed and the following substituted therefor:

“**109.** (1) When the Minister has knowledge or suspects that a person is or is about to become indebted or liable to make any payment to a person liable to make a payment under this Act, he may, by registered letter or by a letter served personally, require him to pay the moneys otherwise payable to that person in whole or in part to the Receiver General of Canada on account of the liability under this Act.” Garnishment.

35. Section one hundred and seventeen of the said Act is amended by adding the following subsection thereto:

“(2) Every person who fails to comply with a regulation made under paragraph (*da*) of subsection (1) of section 106 is liable to a penalty of \$10 a day for each day of default but not exceeding in all \$2,500.” Penalty.

36. Subsection one of section one hundred and twenty-four of the said Act is repealed and the following substituted therefor:

“**124.** (1) An information or complaint under this Act may be laid or made by any officer of the Department of National Revenue, by a member of the Royal Canadian Mounted Police or by any person thereunto authorized by the Minister and, where an information or complaint purports to have been laid or made under this Act, it shall be Information or complaint.

deemed to have been laid or made by a person thereunto authorized by the Minister and shall not be called in question for lack of authority of the informant or complainant except by the Minister or by some person acting for him or His Majesty."

37. (1) Paragraph (ao) of subsection one of section one hundred and twenty-seven of the said Act is repealed and the following substituted therefor:

"subsidiary wholly-owned corporation".

"(ao) 'subsidiary wholly-owned corporation' means a corporation all the issued share capital of which (except directors' qualifying shares) belongs to the corporation to which it is subsidiary and 'subsidiary controlled corporation' means a corporation more than 50% of the issued share capital of which (having full voting rights under all circumstances) belongs to the corporation to which it is subsidiary;"

Application.

(2) This section is applicable to the 1949 and subsequent taxation years.

38. (1) Section one hundred and twenty-eight of the said Act is amended by adding thereto the following subsections:

References to *Income War Tax Act*, references to this Act.

"(5) A reference in any other statute or in any rule, order or regulation made under any other statute to the *Income War Tax Act* shall, as regards any transaction, matter or thing in a period to which this Act is applicable, be construed to be a reference to this Act.

R.S., c. 97.

"(6) A reference in any other statute or in any rule, order or regulation made under any other statute to any provision in the *Income War Tax Act* shall, as regards any transaction, matter or thing in a period to which this Act is applicable, be construed to be

(a) if there is a provision in this Act relating to the same subject-matter, a reference to that provision, and

(b) in any other case, a reference to the provision in the *Income War Tax Act* referred to."

Coming into force.

(2) This section shall be deemed to have come into force on June 30, 1948.

39. (1) Subsection two of section forty-eight of chapter twenty-five of the statutes of 1949 (second session) is repealed and the following substituted therefor:

Newfoundland corporation.

"(2) In relation to a corporation that was resident in Newfoundland on the expiration of March 31, 1949, and was not resident in Canada at any time prior to that time, paragraph (a) of subsection (1) of section 73A shall be read as though the reference therein to 'the taxation year that ended in 1917' was a reference to 'the taxation year that ended in 1949'."

(2) This section shall be deemed to have come into force on June 30, 1950. Coming into force.

40. (1) Subsections one, two and four of section fifty-three of chapter twenty-five of the statutes of 1949 (second session), as amended by section forty-six of chapter forty of the statutes of 1950, are applicable in respect of expenditures incurred in the calendar year 1954. Application of certain subsections.

(2) Subsection five of the said section fifty-three is applicable *mutatis mutandis* in respect of expenditures made in connection with Idem.

(a) the testing of a significant geological structure by a deep test oil well that was spudded in during, or the deepening of which was commenced in, 1952 and that proved unproductive, or

(b) the testing of a significant stratigraphic trap by a group of test wells that were spudded in during 1952 and drilled to an aggregate depth of twenty-five thousand feet and all of which wells proved unproductive.

(3) All that portion of the said subsection five preceding paragraph (a) thereof is repealed and the following substituted therefor:

“(5) A corporation, association, syndicate or exploration partnership, whose principal business is production, refining, or marketing of petroleum or drilling for petroleum, may, with the consent of the Governor in Council, upon the recommendation of the Minister of Mines and Technical Surveys,” Expenditures in production, etc., of petroleum or drilling, deductible upon recommendation. Coming into force.

(4) Subsection three shall be deemed to have come into force on January 18, 1950.

15 GEORGE VI.

CHAP. 52.

An Act to amend The Judges Act, 1946.

[Assented to 30th June, 1951.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1946, c. 56;
1947, c. 36;
1947-48, c. 66;
1949 (1st Sess.)
cc. 18, 6;
1949 (2nd
Sess.), c. 27;
1950, c. 41.

1. Section five of *The Judges Act, 1946*, chapter fifty-six of the statutes of 1946, is repealed and the following substituted therefor:

“5. The salaries of the judges of the Exchequer Court of Canada are as follows:

Salaries of
judges of
Exchequer
Court.

	Per annum
(a) The President of the Exchequer Court of Canada.....	\$16,000.00
(b) Four puisne judges, each.....	14,400.00

2. Section seven of the said Act, as amended by section two of chapter twenty-seven of the statutes of 1949 (Second Session), is repealed and the following substituted therefor:

“7. The salaries of the judges of the Supreme Court of Ontario are as follows:

Salaries of
judges of
Supreme
Court of
Ontario.

	Per annum
(a) The Chief Justice of Ontario.....	\$16,000.00
(b) Nine Justices of Appeal, each.....	14,400.00
(c) The Chief Justice of the High Court.....	16,000.00
(d) Eighteen other Judges of the High Court, each.....	14,400.00”

3. Sections nine to eighteen of the said Act are repealed and the following substituted therefor:

“9. The salaries of the judges of the Court of King's Bench and of the Superior Court in and for the province of Quebec are as follows:

Salaries of
judges of
Court of
King's Bench
and of
Superior
Court of
Quebec.

Per annum

- (a) The Chief Justice of the Court of King's Bench.....\$16,000.00
- (b) Eleven puisne judges of the Court of King's Bench, each..... 14,400.00
- (c) The Chief Justice of the Superior Court.. 16,000.00
- (d) The Associate Chief Justice..... 16,000.00
- (e) Forty-four puisne judges of the Superior Court, each..... 14,400.00

Salaries of
judges of
Supreme
Court of
Nova Scotia.

"10. The salaries of the judges of the Supreme Court of Nova Scotia are as follows:

Per annum

- (a) The Chief Justice of the Court.....\$16,000.00
- (b) The Judge in Equity..... 14,400.00
- (c) Five other judges of the Court, each..... 14,400.00

Salaries of
judges of
Supreme
Court of
New
Brunswick.

"11. The salaries of the judges of the Supreme Court of New Brunswick are as follows:

Per annum

- (a) The Chief Justice of New Brunswick...\$16,000.00
- (b) Two other judges of the Appeal Division, each..... 14,400.00
- (c) The Chief Justice of the King's Bench Division..... 16,000.00
- (d) Three other judges of the King's Bench Division, each..... 14,400.00
- (e) The judge of the Court of Divorce and Matrimonial Causes..... 500.00

Salaries of
judges of
Court of
Appeal and
Court of
King's Bench
for
Manitoba.

"12. The salaries of the judges of the Court of Appeal for Manitoba and of His Majesty's Court of King's Bench for Manitoba are as follows:

Per annum

- (a) The Chief Justice of Manitoba.....\$16,000.00
- (b) Four Judges of Appeal, each..... 14,400.00
- (c) The Chief Justice of the Court of King's Bench..... 16,000.00
- (d) Five puisne judges of the Court of King's Bench, each..... 14,400.00

Salaries of
judges of
Court of
Appeal and
Supreme
Court of
British
Columbia.

"13. The salaries of the judges of the Court of Appeal for British Columbia and of the Supreme Court of British Columbia are as follows:

Per annum

- (a) The Chief Justice of British Columbia...\$16,000.00
- (b) Four Justices of Appeal, each..... 14,400.00
- (c) The Chief Justice of the Supreme Court.. 16,000.00
- (d) Seven Judges of the Supreme Court, each. 14,400.00

"14. The salaries of the judges of the Supreme Court of Judicature of Prince Edward Island are as follows:

Salaries of
judges of
Supreme
Court of
Prince
Edward
Island.

	Per annum
(a) The Chief Justice of the Court.....	\$16,000.00
(b) One judge of the Court, being also Master of the Rolls of the Court of Chancery.....	14,400.00
(c) One judge of the Court, being also Vice- Chancellor.....	14,400.00

"15. The salaries of the judges of the Court of Appeal for Saskatchewan and of His Majesty's Court of King's Bench for Saskatchewan are as follows:

Salaries of
judges of
Court of
Appeal and
King's Bench
for Sask-
atchewan.

	Per annum
(a) The Chief Justice of Saskatchewan.....	\$16,000.00
(b) Four Judges of Appeal, each.....	14,400.00
(c) The Chief Justice of the Court of King's Bench.....	16,000.00
(d) Six other judges of the Court of King's Bench, each.....	14,400.00

"16. The salaries of the judges of the Supreme Court of Alberta are as follows:

Salaries of
judges of
Supreme
Court of
Alberta.

	Per annum
(a) The Chief Justice of Alberta.....	\$16,000.00
(b) Four Justices of Appeal, each.....	14,400.00
(c) The Chief Justice of the Trial Division...	16,000.00
(d) Five Justices of the Supreme Court of Alberta, each.....	14,400.00

"16A. The salaries of the judges of the Supreme Court of Newfoundland are as follows:

Salaries of
judges of
Supreme
Court of
Newfound-
land.

	Per annum
(a) The Chief Justice.....	\$16,000.00
(b) Two other Judges.....	14,400.00

"17. The salary of the judge of the Territorial Court of the Yukon Territory is fourteen thousand four hundred dollars per annum.

Salary of
judge of
Territorial
Court of
Yukon
Territory.

"18. The salaries of the judges of the county and district courts are as follows:

Salaries of
judges of
county and
district
courts.

ONTARIO.

	Per annum
(a) Sixty-three judges and junior judges of the County and District Courts, each.....	\$ 8,000.00

NOVA SCOTIA.

(b) Seven County Court judges, each.....	8,000.00
--	----------

NEW BRUNSWICK.

	Per annum
(c) Six County Court judges, each.....	\$ 8,000.00

MANITOBA.

(d) Ten judges and junior judges of the County Courts, each.....	8,000.00
--	----------

BRITISH COLUMBIA.

(e) Fourteen judges and junior judges of the County Courts, each.....	8,000.00
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PRINCE EDWARD ISLAND.

(f) Three County Court judges, each.....	8,000.00
--	----------

SASKATCHEWAN.

(g) Eighteen District Court judges, each....	8,000.00
--	----------

ALBERTA.

(h) Twelve chief judges and judges of the District Courts, each.....	8,000.00
--	----------

NEWFOUNDLAND.

(i) Five District Court judges, each.....	8,000.00"
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Substitution of "The Governor in Council may"

4. (1) Subsection one of section twenty-two, section twenty-three and subsection two of section twenty-nine of the said Act are amended by striking out the words "His Majesty may, by letters patent under the Great Seal of Canada" wherever they occur therein, and substituting therefor in each case "The Governor in Council may".

Annuity in lieu of other provisions.

(2) The first three lines of subsection one of section twenty-six of the said Act are repealed and the following substituted therefor:

"26. (1) The Governor in Council may, in lieu of an annuity authorized by any other section of this Act, grant to a judge".

(3) Subsection two of section twenty-six of the said Act is amended by striking out the words "His Majesty" in the first line thereof, and substituting therefor the words "The Governor in Council".

"The Governor in Council" for "His Majesty".

(4) Subsection three of section twenty-six of the said Act is amended by striking out the words "His Majesty may, by letters patent under the Great Seal of Canada" and substituting therefor the words "The Governor in Council may".

Substitution of "The Governor in Council may".

5. Section twenty-four of the said Act is repealed and the following substituted therefor:

"24. The Governor in Council may grant to

(a) a judge of a county court or the Circuit Court of the District of Montreal who has continued in office as such for at least twenty-five years or is afflicted with some permanent infirmity disabling him from the due execution of his office, if he resigns his office, or

Annuity to judges of county court or Circuit Court of District of Montreal.

(b) a judge of a county court who is compulsorily retired pursuant to subsection one of section twenty-five, an annuity not exceeding two-thirds of the salary annexed to the office held by him at the time of his resignation or retirement, to commence immediately after his resignation or retirement and to continue thenceforth during his natural life."

Annuity.

6. Subsection two of section twenty-five of the said Act is repealed and the following substituted therefor:

"(2) The Governor in Council may grant to a judge of the Circuit Court of the District of Montreal

Annuity.

(a) who is compulsorily retired pursuant to subsection one of this section, or

(b) who has continued in office as such for at least thirty years, if he resigns his office,

an annuity not exceeding the salary annexed to the office held by him at the time of his retirement or resignation, to commence immediately after his retirement or resignation and to continue thenceforth during his natural life."

7. The said Act is further amended by adding thereto, immediately after section twenty-six thereof, the following section:

"26A. (1) The Governor in Council may grant to the widow of a judge who died before the fifteenth day of August, nineteen hundred and forty-four, an annuity not exceeding two-ninths of the salary provided by Act of Parliament for a county court judge at the date the judge died, to continue during her natural life.

Annuity to widows of judges who died before August 15, 1944.

(2) The Governor in Council may grant to the widow of a judge who

Annuity to widows of judges who retired before August 15, 1944.

- (a) ceased to hold office before the fifteenth day of August, nineteen hundred and forty-four,
- (b) was granted a pension or annuity under the *Judges Act*, chapter one hundred and five of the Revised Statutes of Canada, 1927, or any other Act of Parliament providing for the grant of pensions or annuities to judges, and
- (c) died on or after the fifteenth day of August, nineteen hundred and forty-four, but before the coming into force of this section,

an annuity not exceeding two-ninths of the salary provided by Act of Parliament for a county court judge at the date the judge ceased to hold office, to continue during her natural life.

No annuity if widow not in necessitous circumstances or if she remarried.

(3) No annuity shall be granted under subsection one or two to the widow of a judge

- (a) if the Minister of Justice is of opinion that the widow is not in necessitous circumstances, or
- (b) if she remarried at any time after the death of the judge.

Election by judges who retired before August 15, 1944.

(4) A judge who upon resignation or retirement before the fifteenth day of August, nineteen hundred and forty-four, was granted a pension or annuity under the *Judges Act*, chapter one hundred and five of the Revised Statutes of Canada, 1927, or under any other Act of Parliament providing for the grant of pensions or annuities to judges, may elect in writing to divide his pension or annuity with his wife; and where a judge has so elected, the Governor in Council may grant to the wife of the judge an annuity not exceeding one-third of the pension or annuity that was granted to the judge, to continue during her natural life; and upon the grant of such annuity to the wife, the amount of the pension or annuity granted to the judge shall be reduced by the amount of the annuity granted to the wife under this subsection.

Election irrevocable. Annuity to cease on remarriage.

- (5) An election made under subsection four is irrevocable.
- (6) An annuity granted to a wife or widow under this section shall cease on her remarriage."

15 GEORGE VI.

CHAP. 53.

An Act to vary the Manitoba Natural Resources Agreement.

[Assented to 30th June, 1951.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. This Act may be cited as *The Manitoba Natural Resources Transfer (Amendment) Act, 1951.* Short title.

2. The Agreement set out in the Schedule to this Act is hereby confirmed and shall take effect according to its terms. Agreement confirmed.

SCHEDULE

MEMORANDUM OF AGREEMENT

Made this eleventh day of June, 1951.

BETWEEN

THE GOVERNMENT OF CANADA, represented herein by the Honourable Douglas Charles Abbott, Minister of Finance,

Of the first part,

AND

THE GOVERNMENT OF THE PROVINCE OF MANITOBA, represented herein by the Honourable Douglas Lloyd Campbell, Premier of Manitoba,

Of the second part.

WHEREAS the Agreement entered into between the parties hereto on the 14th day of December, A.D. 1929 (hereinafter referred to as the Natural Resources Transfer Agreement), was duly approved by the Parliament of Canada and the Legislature of the Province and upon an address to His Majesty from the Senate and House of Commons of Canada, was confirmed and declared to have the force of law by an Act of the Parliament of the United Kingdom of Great Britain and Northern Ireland entitled "The British North America Act, 1930" being chapter twenty-six of the Imperial Statutes, 20-21 George V;

AND WHEREAS by paragraph twenty-four of the said Natural Resources Transfer Agreement it was agreed that the provisions of the said Agreement might be varied by an Agreement confirmed by concurrent Statutes of the Parliament of Canada and the Legislature of the Province;

AND WHEREAS paragraphs six and seven of the Natural Resources Transfer Agreement provide as follows:

"6. Upon the coming into force of this Agreement, Canada will transfer to the Province the money or securities constituting that portion of the School Lands Fund, created under sections twenty-two and twenty-three of the Act to amend and consolidate the several Acts respecting Public Lands of the Dominion, being chapter thirty-one of forty-two Victoria, and subsequent statutes, which is derived from the disposition of any school lands within the Province or within that part of the Northwest Territories now included within the boundaries thereof."

"7. The School Lands Fund to be transferred to the Province as aforesaid, and such of the school lands specified in section thirty-seven of the Dominion Lands Act, being chapter one hundred and thirteen of the Revised Statutes of Canada, 1927, as pass to the administration of the Province under the terms hereof, shall be set aside and shall continue to be administered by the Province in accordance, mutatis mutandis, with the provisions of sections thirty-seven to forty of the Dominion Lands Act, for the support of schools organized and carried on therein in accordance with the law of the Province."

AND WHEREAS the effect of these provisions is that money obtained from the sale of the school lands specified therein and the said School Lands Fund may be invested only in securities of Canada;

AND WHEREAS it has been agreed that provision should be made for the investment of such money in other securities as hereinafter provided:

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT:

1. Paragraph seven of the Natural Resources Transfer Agreement is amended by adding thereto the following provision:

"The Province will, notwithstanding anything in this Agreement, invest money to which this paragraph applies in securities of Canada, or of a Province, or of a municipal corporation or school district in the Province of Manitoba, or in securities guaranteed by Canada or a Province, to form a school fund, and will apply the interest arising therefrom, after deducting the cost of management, for the support of schools organized and carried on in accordance with the law of the Province."

2. This Agreement is made subject to its being approved by the Parliament of Canada and by the Legislature of the Province of Manitoba, and shall take effect on the first day of the calendar month beginning next after its approval as aforesaid, whichever approval, that of the Parliament of Canada or that of the Legislature of the Province, shall be later in date.

IN WITNESS WHEREOF, the Honourable Douglas Charles Abbott, Minister of Finance, has hereunto set his hand on behalf of Canada, and the Honourable Douglas Lloyd Campbell, Premier of Manitoba, has hereunto set his hand on behalf of the Province of Manitoba.

Signed on behalf of the Government
of Canada by the Honourable Douglas
Charles Abbott, Minister of Finance,
in the presence of

(Sgd.) D. C. Abbott.

(Sgd.) W. C. Clark.

Signed on behalf of the Government
of Manitoba by the Honourable Douglas
Lloyd Campbell, Premier of Manitoba,
in the presence of

(Sgd.) Douglas Campbell.

Thora Sigurdson

OTTAWA: Printed by EDMOND CLOUTIER, C.M.G., O.A., D.S.P
Law Printer to the King's Most Excellent Majesty.

15 GEORGE VI.

CHAP. 54.

An Act respecting Grants to Municipalities.

[Assented to 30th June, 1951.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

SHORT TITLE.

1. This Act may be cited as *The Municipal Grants Act*. Short title.

INTERPRETATION.

2. In this Act

- | | |
|---|----------------------------------|
| (a) "accepted value" means the value that, in the opinion of the Minister, would be attributed to federal property by a municipal taxing authority as the base for computing the amount of real estate tax applicable to that property if it were taxable property; | Definitions
"accepted value". |
| (b) "assessed value" means the value attributed to taxable property by a municipal taxing authority as the base for computing the amount of real estate tax applicable to that property; | "assessed value". |
| (c) "federal property" means real property owned by His Majesty in right of Canada, but does not include | "federal property". |
| (i) real property forming part of an undertaking in respect of the conservation, irrigation, reclamation, rehabilitation or reforestation of land, | |
| (ii) a park, historical site, monument, museum, public library or art gallery, | |
| (iii) an improvement to land or structure that is not a building designed for the shelter of people, plant or movable property, | |
| (iv) real property under the control, management or administration of the National Railways as defined in <i>The Canadian National-Canadian Pacific Act</i> , | 1932-33, c. 33. |

1933, or a corporation, company, commission, board or agency established to perform a function or duty on behalf of the Government of Canada, or

- (v) real property leased by His Majesty to a tenant from whom, by reason of such tenant's interest in that real property, a municipal taxing authority may collect real estate tax;

"Minister".
"real estate tax".

- (d) "Minister" means the Minister of Finance;
(e) "real estate tax" means a tax, other than a water tax, levied by a municipal taxing authority
(i) on all owners of real property in that municipality, excepting those exempt by law, and
(ii) on tenants, if any, of real property leased to them by His Majesty,

"taxable property".

- and computed by applying one or more rates to all or a part of the assessed value of such real property; and
(f) "taxable property" means real property in respect of which a person may be required by a municipal taxing authority to pay a real estate tax.

Two classes of federal property. "service" excludes public roads, etc. Class A property.

3. (1) For the purposes of this Act, federal property is divided into Class A property and Class B property.

(2) In this section, "service" does not include the provision and maintenance of public roads and sidewalks.

(3) Class A property includes federal property that accepts from a municipality a service that

(a) the municipality customarily furnishes to real property in the municipality; and

(b) is, in the opinion of the Minister, a material service.

Class B property.

(4) Class B property includes federal property that does not accept from a municipality any service referred to in subsection three.

GRANTS.

Grants in respect of federal property.

4. (1) Where, in a form prescribed by the Minister, a municipality applies for a grant, the Minister may, in his discretion, out of moneys provided by Parliament, make a grant to the municipality in respect of federal property situated therein, but no grant shall be made in an amount exceeding that authorized by this Act.

No right to grant conferred

(2) No right to a grant is conferred by this Act.

Grant where Class A property exceeds four per cent of aggregate of assessed values and accepted values.

5. (1) Where the accepted value of the Class A property in a municipality exceeds four per centum of the aggregate of the total assessed value of taxable property and the total accepted value of Class A property in the municipality, a grant in respect of Class A property may be made to the municipality based, as provided in this section, on the amount of such excess.

(2) The amount of a grant made pursuant to this section shall not be greater than a fraction of the excess referred to in subsection one, such fraction to be determined as follows:

Calculation of grant.

- (a) the numerator is the total amount of the real estate tax levied in the appropriate tax year multiplied by seventy-five, and
- (b) the denominator is the aggregate of the assessed value of all taxable property and the accepted value of Class A property in the municipality multiplied by one hundred.

(3) The accepted value of Class A property in respect of which, for any tax year, a grant is made pursuant to section six or the municipality may recover or has received taxes from any person shall, in respect of that tax year, be excluded from the total accepted value of Class A property in the municipality in calculating a grant under this section.

Certain accepted values to be excluded.

(4) The Minister may, in determining the amount of a grant under this section, deduct from the amount that might otherwise be payable an amount that, in his opinion, represents the value of a service that is customarily furnished by the municipality to real property in the municipality and that His Majesty does not accept in respect of Class A property in the municipality.

May deduct value of non-accepted services.

6. (1) A grant may, pursuant to this section, be made to a municipality in respect of federal property in the municipality acquired by His Majesty after the thirty-first day of December, nineteen hundred and forty-eight.

Grants in respect of property acquired after Dec. 31, 1948.

(2) A grant made pursuant to this section shall not exceed

- (a) in the tax year of the municipality next following that during which the federal property was acquired by His Majesty, an amount equal to the total amount of the real estate tax levied in respect of that property for the tax year in which it was so acquired;
- (b) in the tax year of the municipality next following that in respect of which a grant is made pursuant to paragraph (a), an amount equal to seventy-five per centum of the amount granted pursuant to paragraph (a);
- (c) in the tax year of the municipality next following that in respect of which a grant is made pursuant to paragraph (b), an amount equal to fifty per centum of the amount granted pursuant to paragraph (a); and
- (d) in the tax year of the municipality next following that in respect of which a grant is made pursuant to paragraph (c), an amount equal to twenty-five per centum of the amount granted pursuant to paragraph (a).

Amount of grants.

(3) The amount of real estate taxes that a municipality may recover or has received from any person in respect of

Taxes to be deducted

federal property for a tax year shall be deducted by the Minister from a grant made under this section in respect of such property and tax year.

Grants in
respect of
local
improvement
costs.

7. (1) A grant may be made to a municipality not exceeding the unpaid principal amount of that part of the cost of a local improvement that has been specially assessed against federal property and that has become due and payable after the thirty-first day of December, nineteen hundred and forty-two.

No grant
where costs
received
from others.

(2) No grant shall be made under subsection one in respect of any part of the cost of a local improvement that the municipality has received from any person or may recover from any person as a special assessment or by the levying of a special rate on the assessed value of taxable property.

No grant
for tax
years before
Jan. 1, 1950.

8. Except as otherwise provided in this Act, no grant shall be made in respect of a municipal tax year commencing before the first day of January, nineteen hundred and fifty.

OTTAWA: Printed by EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
Law Printer to the King's Most Excellent Majesty.

15 GEORGE VI.

CHAP. 55.

An Act to provide for Old Age Assistance.

[Assented to 30th June, 1951.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. This Act may be cited as *The Old Age Assistance Act*. Short title.
2. In this Act Definitions.
 - (a) "agreement" means an agreement made under section three; "agreement".
 - (b) "application" means an application for old age assistance; "application".
 - (c) "assistance" means old age assistance provided under provincial law to the persons and under the conditions specified in this Act and the regulations; "assistance".
 - (d) "Minister" means the Minister of National Health and Welfare; "Minister".
 - (e) "provincial authority" means the officer or body charged with the administration of the provincial law; "provincial authority".
 - (f) "provincial law" means a law of a province that provides for the payment of old age assistance to the persons and under the conditions specified in this Act and the regulations, and authorizes the province to enter into an agreement with the Government of Canada in accordance with this Act; "provincial law".
 - (g) "province" includes the Northwest Territories and the Yukon Territory; "province".
 - (h) "recipient" means a person to whom assistance has been granted, and includes an applicant for assistance; and "recipient".
 - (i) "unmarried person" includes a widow, a widower, a divorced person and a married person who, in the opinion of the provincial authority, is living separate and apart from his spouse. "unmarried person".

Agreements
with
provinces.

3. (1) The Minister, with the approval of the Governor in Council, may, on behalf of the Government of Canada, make an agreement with a province to provide for the payment to the province, in accordance with this Act and the regulations, of amounts in respect of assistance paid by the province pursuant to provincial law, not exceeding, in respect of any recipient, fifty per cent. of forty dollars monthly or of the amount of assistance paid by the province monthly to the recipient, whichever is the lesser.

Qualifications

(2) Payments to a province pursuant to this section shall be made only in respect of a recipient who

(a) at the date of the proposed commencement of assistance payments to him

(i) has attained the age of sixty-five years, and

(ii) has resided in Canada for the twenty years immediately preceding that date, or if he has not so resided, has been present in Canada prior to those twenty years for an aggregate period equal to twice the aggregate period of absences from Canada during those twenty years; and

(b) is not in receipt of an allowance under *The Blind Persons Act* or *The War Veterans' Allowance Act, 1946*, or a pension under *The Old Age Security Act*; and

(c) is,

(i) an unmarried person, and his income, inclusive of assistance, is not more than seven hundred and twenty dollars a year, or

(ii) married and living with his spouse and the total income, inclusive of assistance, of the recipient and his spouse is not more than twelve hundred dollars a year, or

(iii) married and living with his spouse who is blind within the meaning of *The Blind Persons Act* and the total income, inclusive of assistance, of the recipient and his spouse is not more than thirteen hundred and twenty dollars a year.

Amount of
payments by
Government
of Canada.

4. An agreement with a province shall contain a covenant by the Government of Canada to pay to the province each month the amount that the Government of Canada is at that time authorized to pay to the province under this Act.

Assistance
payable
monthly
in arrears.

5. (1) The assistance in respect of which the Government of Canada is authorized by this Act to make payments shall be payable monthly in arrears.

Where
recipient
dies.

(2) Where a province pays assistance in respect of a recipient for the whole of the month in which the recipient dies the Government of Canada shall make payments in respect thereof in accordance with section three.

6. Subject to the conditions specified in the regulations, a provincial authority is entitled, for the purpose of ascertaining the age of a recipient, to obtain from the Dominion Bureau of Statistics any information respecting the age of a recipient that is contained in the returns of any census taken more than thirty years before the date of the application for such information. Census records.

7. In every agreement the province shall, subject to section three, Provisions of agreement.

(a) specify the minimum age of a recipient and any other conditions of eligibility set forth in the provincial law;

(b) specify the maximum assistance to be paid by it to a recipient;

(c) provide for the reduction of such maximum assistance by the amount of any income received by a recipient in excess of an amount to be specified in such agreement; and

(d) covenant and agree

(i) that the provincial authority will consider applications from persons resident in the province in the manner prescribed by regulation, and where satisfied that a recipient is properly and lawfully entitled to assistance, under the conditions specified in this Act, the regulations and the agreement, grant assistance to such recipient in the amount specified in the agreement;

(ii) that where a recipient, during the last ten hundred and ninety-five days that he was present in Canada prior to reaching the age of sixty-five years, or prior to making application for assistance, whichever is the later, was present in the province for a greater number of days than in any other province, the province will reimburse any other province that is paying the assistance to the extent of fifty per cent. of the amount of the assistance;

(iii) that the province will, where a recipient who has been granted assistance transfers his residence to such province from another province, pay the assistance;

(iv) that where a recipient, to whom the province has granted assistance, transfers his residence to another province with which no agreement is in force, the province will continue to pay the assistance to such recipient;

(v) that where a recipient, who has been granted assistance, transfers his residence to some place out of Canada, the province will discontinue

payment

payment of the assistance and not resume payment thereof until such recipient has again become resident in Canada;

- (vi) to make statutory provision for penalties to ensure the proper carrying out of the provincial law and to provide that no assistance shall be subject to alienation or transfer by a recipient or to attachment or seizure in satisfaction of any claim against him, and that the receipt of the assistance shall not by itself constitute a disqualification from voting at any provincial or municipal election;
- (vii) that the province will furnish without charge to the provincial authority of any province, a certificate of the date of the birth of any recipient born within the province;
- (viii) to maintain proper and adequate records and accounts respecting assistance payments, and to permit of an examination, inspection and audit by the Government of Canada of all such payments and of the records and accounts with respect thereto;
- (ix) that where a recipient or his spouse has, within the five years preceding the date of application, made an assignment or transfer of property the consideration for which is, in the opinion of the provincial authority, inadequate, or where it appears to the provincial authority that any assignment or transfer of property made by a recipient or his spouse was made for the purpose of qualifying the recipient for assistance, or for a larger amount of assistance than he otherwise would be entitled to receive, or to prevent recovery of any claim under the provincial law, the province will deem the property so assigned or transferred to be property of the recipient or his spouse owned at the date of the application as though the assignment or transfer had not been made;
- (x) that where recovery of the amount of any assistance is made from a recipient or his estate, the province will furnish to the Government of Canada monthly a report thereof, and pay to the Government of Canada an amount that bears the same ratio to the amount so recovered as the total amounts paid by the Government of Canada in respect of assistance payments made to such recipient bears to the total of such assistance payments.

8. All sums of money payable to a province in pursuance of an agreement shall be paid by the Minister of Finance on the certificate of the Minister out of the Consolidated Revenue Fund, and all such payments shall be made subject to the conditions specified in this Act and the regulations and subject to the observance of the covenants, agreements and undertakings contained in the agreement. Payments out of C.R.F.

9. (1) Subject to subsection two, every agreement shall continue in force so long as the provincial law remains in operation or until the expiration of ten years from the day upon which notice of an intention to terminate the agreement is given by the Minister, with the approval of the Governor in Council, to the province with which the agreement was made. Duration of agreements.

(2) An agreement may be amended or terminated by mutual consent of the parties thereto with the approval of the Governor in Council. Amendment.

10. An agreement shall not come into operation until the Governor in Council has approved the scheme for the administration of assistance proposed to be adopted by the province, and no change in the scheme shall be made by the province without the approval of the Governor in Council. Coming into force of agreement.

11. (1) The Governor in Council may make regulations for carrying the purposes and provisions of this Act into effect, and, without limiting the generality of the foregoing, may make regulations providing for Regulations.

(a) the time, manner and form of making an application, the information and evidence to be submitted in connection therewith, and the procedure to be followed by the provincial authority in the consideration of applications;

(b) the investigation into applications and into the eligibility of a recipient to receive assistance, the reports to be made and the information to be supplied by or in respect of recipients;

(c) the conditions under which information may be obtained from the Dominion Bureau of Statistics as provided in section six;

(d) the definition of residence in Canada for the purposes of this Act and the extent of intervals of absence from Canada that shall be deemed not to have interrupted the continuity of residence;

(e) the definition of income for the purposes of this Act, and the manner in which income is to be determined, including the income of a recipient and his spouse,

and

and the determination of the amount thereof that each shall be deemed to receive, whether they live together or separate and apart;

- (f) determining the amount that for the purposes of this Act shall be deemed income of a recipient from any interest in real or personal property of the recipient or his spouse owned or deemed to be owned at the date of making application or acquired subsequent thereto;
- (g) the time at which, after application therefor, the payment of assistance shall commence;
- (h) the payment of assistance to persons as trustees for the benefit of recipients who are incapacitated through infirmity, illness, or any other cause;
- (i) the circumstances justifying or requiring the suspension of the payment of assistance and the resumption of payment; and
- (j) the recovery of the amount of assistance payments to which a recipient was not entitled under this Act, the regulations and the agreement.

Alteration of regulations.

(2) No regulation by reference to which an agreement with a province has been made shall be altered, except with the consent of the province or in accordance with the regulations to which it has agreed.

Advisory Board.

(3) There shall be an Advisory Board consisting of two representatives of the Government of Canada, appointed by the Governor in Council, and two representatives of each of the provinces with which agreements have been made, appointed by the Governor in Council on the recommendation of such provinces, to recommend such alterations to the regulations as may from time to time appear to be necessary or advisable.

Report

12. The Minister shall, as soon as possible after the termination of each fiscal year, submit a report to Parliament respecting the operation for that year of the agreements made under this Act and of the payments made to the provinces under each of the agreements.

Coming into force.

13. This Act shall come into force on the first day of January, nineteen hundred and fifty-two.

15 GEORGE VI.

CHAP. 56.

An Act to amend the Pension Act and change
the Title thereof.

[Assented to 30th June, 1951.]

R.S., c. 157;
1928, c. 38;
1930, c. 35;
1931, c. 44;
1932-33, c. 45;
1934, c. 58;
1935, cc. 8, 45;
1936, c. 44;
1939 (1st sess.)
c. 32;
1940-41, c. 23;
1946, c. 62;
1947-48, c. 23;
1949
(1st. sess.)
c. 6.

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. The title of chapter one hundred and fifty-seven of the Revised Statutes of Canada, 1927, "An Act to provide Pensions to or in respect of Members of the Canadian Naval, Military and Air Forces", is repealed and the following substituted therefor:

Title
changed.

"An Act to provide Pensions to or in respect of Members of the Canadian Naval, Army and Air Forces."

2. (1) Paragraph (i) of subsection one of section two of the said Act, as enacted by section one of chapter twenty-three of the statutes of 1940-41 and amended by section five of chapter sixty-two of the statutes of 1946, is repealed and the following substituted therefor:

"(i) 'member of the forces' means any person who has served in the naval, army or air forces of Canada since the commencement of World War I;"

"member of
the forces"

(2) Paragraph (j) of subsection one of section two of the said Act, as enacted by section one of chapter twenty-three of the statutes of 1940-41 and amended by section five of chapter sixty-two of the statutes of 1946, is repealed and the following substituted therefor:

"(j) 'military service' or 'service' means service in the naval, army or air forces of Canada since the commencement of World War I;"

"military
service"
"service"

(3) Subparagraph (i) of paragraph (o) of subsection one of section two of the said Act, as enacted by section three of chapter sixty-two of the statutes of 1946, is repealed and the following substituted therefor:

“(i) in the case of the army or air forces during World War I, service in the zone of the allied armies on the continents of Europe, Asia or Africa or in any other place at which the member of the forces has sustained injury or contracted disease directly by a hostile act of the enemy;”

(4) Subparagraph (iii) of paragraph (o) of subsection one of section two of the said Act, as enacted by section three of chapter sixty-two of the statutes of 1946, is repealed and the following substituted therefor:

“(iii) in the case of the naval, army or air forces during World War II, service on the sea, in the field or in the air, in any place outside of Canada; or service in any place in Canada at which the member of the forces has sustained injury or contracted disease directly by a hostile act of the enemy;”

3. Subsection four of section three of the said Act, as enacted by section two of chapter forty-four of the statutes of 1936, is repealed and the following substituted therefor:

Tenure of
office.

“(4) Each Commissioner, except an *ad hoc* Commissioner, shall hold office during good behaviour for a period of ten years from the date of his appointment, or for such lesser period as may be specified by the Governor in Council in the instrument of his appointment or re-appointment, but any Commissioner, including an *ad hoc* Commissioner, shall be removable at any time for cause by the Governor in Council.”

4. Subsection seven of section three of the said Act, as enacted by section four of chapter twenty-three of the statutes of 1947-48, is repealed and the following substituted therefor:

Salaries

“(7) The Chairman shall be paid a salary of twelve thousand dollars per annum, the Deputy Chairman shall be paid a salary of ten thousand dollars per annum, and each of the other Commissioners, including *ad hoc* Commissioners, shall be paid a salary at the rate of nine thousand dollars per annum; such salaries shall be paid monthly out of any unappropriated moneys forming part of the Consolidated Revenue Fund of Canada.”

5. Section nine A of the said Act, as enacted by section six of chapter forty-five of the statutes of 1932-33 and re-numbered by section twenty-nine of chapter thirty-two of the statutes of 1939, is amended by adding thereto the following subsection:

“(3) A member of the Commission or the Court who at the time of his appointment as such held a position in the civil service or was an employee within the meaning of the *Civil Service Act*, retains and is eligible to receive all the benefits, except salary as a civil servant, that he would have been eligible to receive had he remained under that Act.”

Former civil servants retain benefits under *Civil Service Act*.
R.S., c. 22.

6. (1) Subsection one of section twenty-two of the said Act, as enacted by section twelve of chapter thirty-eight of the statutes of 1928, is repealed and the following substituted therefor:

“22. (1) No pension shall be paid to or in respect of a child who, if a boy, is over the age of sixteen years or, if a girl, is over the age of seventeen years, except

No pension to children over age limit.

(a) when such child and those responsible for its maintenance are without adequate resources, and such child is unable owing to physical or mental infirmity to provide for its own maintenance, in which case the pension may be paid while such child is incapacitated by physical or mental infirmity from earning a livelihood: Provided that no pension shall be awarded unless such infirmity occurred before the child attained the age of twenty-one years; and that if such child is an orphan the Commission shall have discretion to increase such child's pension up to an amount not exceeding orphan's rates; or

Exception when child has infirmity.

(b) when such child is following and is making satisfactory progress in a course of instruction approved by the Commission, in which case the pension may be paid until such child has attained the age of twenty-one years.”

Proviso.

Exception when child is continuing education.

(2) Section twenty-two of the said Act is further amended by adding thereto the following subsection:

Widow and children.

“(12) When pension is awardable under the provisions of this Act in respect of the death of a member of the forces who died leaving a widow and child or children, such child or children shall be entitled to a pension in accordance with the rate payable for orphan children in Schedule B to this Act.”

7. Subsection four of section twenty-nine of the said Act, as enacted by section nineteen of chapter sixty-two of the statutes of 1946, is repealed and the following substituted therefor:—

“(4) Notwithstanding the provisions of subsections one and two of this section, any addition to pension granted under subsection one of section twenty-six of this Act to a member of the forces who is blind shall be paid during the time he is an in-patient under treatment or care from the Department.”

Blind pensioners.

8. Subsection five of section thirty of the said Act, as enacted by section seventeen of chapter forty-four of the statutes of 1936, is repealed and the following substituted therefor:

Pension in discretion of Commission in certain cases.

“(5) If a member of the forces, in receipt of a disability pension, was, before the first day of May, 1951, living with a woman to whom he was not legally married and since that date such woman has continuously been maintained by him and represented by him as his wife, the Commission may, in its discretion, if the said member of the forces has married or hereafter marries the said woman, award additional pension for a married member of the forces.”

9. Section thirty-one of the said Act, as enacted by section twenty-three of chapter thirty-eight of the statutes of 1928, is repealed and the following substituted therefor:

Sickness and burial expenses.

“**31.** (1) Subject to subsection two, when a pensioner pensioned on account of a disability has died and his estate is not sufficient to pay the expenses of his last sickness and burial, the Commission may direct the payment of such expenses, or a portion thereof.

Maximum amount.

(2) The payment under subsection one, in the case of any pensioner, shall not exceed a total of one hundred and eighty-five dollars and shall not exceed

(a) one hundred and ten dollars in respect of funeral services,

(b) twenty-five dollars for cemetery charges, and

(c) fifty dollars for the expenses of the pensioner's last sickness,

and where payment of a burial grant is made, the Department may furnish and erect a standard headstone if the burial is carried out in Canada.”

10. Paragraph (a), and the proviso thereto, of subsection two of section thirty-two of the said Act, as enacted by section twenty of chapter sixty-two of the statutes of 1946 and amended by section ten of chapter twenty-three of the statutes of 1947-48, are repealed and the following substituted therefor:

“(a) in the case of service during World War I, if she was married to him prior to the first day of May, 1951; or if the marriage was contracted on or after that date additional pension on her behalf was awarded him under the provisions of subsection five of section thirty; and

(i) the death of her husband has occurred more than one year subsequent to the date of marriage, or

(ii) the death of her husband has occurred less than one year subsequent to the date of marriage and the Commission is of the opinion that he had at the date of such marriage a reasonable expectation of surviving for at least one year thereafter; Provided that if the marriage took place between the thirtieth day of April, 1948, and the first day of May, 1951, no payment shall be made for any period prior to the first day of May, 1951;"

11. Paragraph (b) of subsection four of section thirty-two of the said Act, as enacted by section twenty-one of chapter sixty-two of the statutes of 1946, is repealed and the following substituted therefor:

"(b) Notwithstanding anything contained in paragraph (a) of this subsection, when a woman has been divorced, legally separated or separated by agreement from a member of the forces who has died, and such woman is in a dependent condition, the Commission may, in its discretion, award such pension not exceeding the rates set out in Schedule B to this Act, as it deems fit in the circumstances, although such woman has not been awarded alimony or an alimentary allowance or is not entitled to an allowance under the terms of the separation agreement, if in the opinion of the Commission, she would have been entitled to an award of alimony or an alimentary allowance or an allowance had she made application therefor under due process of law."

12. Paragraph (a), and the proviso thereto, of subsection one of section thirty-two A of the said Act, as enacted by section seventeen of chapter twenty-three of the statutes of 1940-41, as amended by section twenty-two of chapter sixty-two of the statutes of 1946 and section eleven of chapter twenty-three of the statutes of 1947-48, are repealed and the following substituted therefor:

"(a) in the case of service during World War I, if she was married to such member of the forces either before he was granted a pension for the injury or disease which has resulted in his death or, if the marriage took place subsequent to the grant of such pension, she shall be entitled to a pension if she was married to him prior to the first day of May, 1951, and

(i) the death of her husband has occurred more than one year subsequent to the date of marriage, or

(ii) the death of her husband has occurred less than one year subsequent to the date of marriage and the Commission is of the opinion that he had, at the date of such marriage, a reasonable expectation of surviving for at least one year thereafter;

Proviso.

Provided that if the marriage took place between the thirtieth day of April, 1948, and the first day of May, 1951, no payment shall be made for any period prior to the first day of May, 1951;”

13. (1) Section forty-five of the said Act, as enacted by section twenty-five of chapter sixty-two of the statutes of 1946, is amended by striking out the word “military” therein and substituting the word “army” therefor.

(2) The proviso to the said section forty-five is repealed and the following substituted therefor:

Proviso.

“Provided that payments may be made under the provisions of this section only to or in respect of such persons as are residents of Canada and during the continuance of their residence therein; and further provided that no payments may be made under these provisions in respect of any period prior to June first, one thousand nine hundred and forty-six.”

14. (1) Section forty-six of the said Act, as enacted by section twenty of chapter twenty-three of the statutes of 1940-41 and re-numbered by section twenty-five of chapter sixty-two of the statutes of 1946, is amended by striking out the word “military” therein and substituting the word “army” therefor.

(2) The proviso to the said section forty-six is repealed and the following substituted therefor:

Proviso.

“Provided that payments may be made under the provisions of this section only to or in respect of such persons as are residents of Canada and during the continuance of their residence therein.”

15. (1) Section forty-six A of the said Act, as enacted by section twenty-six of chapter sixty-two of the statutes of 1946, is amended by striking out the word “military” therein and substituting the word “army” therefor.

(2) The proviso to the said section forty-six A is repealed and the following substituted therefor:

Proviso.

“Provided that payments may be made under the provisions of this section only to or in respect of such persons as are residents of Canada and during the continuance of their residence therein.”

16. The proviso to section forty-seven of the said Act, as enacted by section thirteen of chapter twenty-three of the statutes of 1947-48, is repealed and the following substituted therefor:

Proviso.

“Provided that payments may be made under this section only to or in respect of such persons as are residents of Canada and during the continuance of their residence therein.”

17. Section forty-nine of the said Act is amended by striking out the word "military" in line two thereof, and substituting the word "army" therefor.

18. Paragraph (b) of section sixty-two of the said Act, as enacted by section twenty-seven of chapter thirty-two of the statutes of 1939, is repealed and the following substituted therefor:

"(b) such medical advisers and other persons, including duly authorized representatives of veterans' organizations incorporated under *The Companies Act, 1934*, or by the authority of any other Act of the Parliament of Canada, as may be consulted by or on behalf of the person whom the records or material directly concerns, in the preparation and presentation of an application for pension, and"

1934. c. 33.

19. (1) Paragraph (a) of section sixty-seven of the said Act, as enacted by section seventeen of chapter twenty-three of the statutes of 1947-48, is repealed and the following substituted therefor:

"(a) in respect of service during World War I, under Schedule A or Schedule B to this Act, to or in respect of any child of a member of the forces or pensioner if such child was born on or after the first day of May, 1951, of a marriage contracted on or after that date;"

When certain pensions not payable in respect of children.

(2) The said section sixty-seven is further amended by adding thereto the following subsection:

"(2) The limitations contained in this section do not apply in any case where additional pension is awarded under subsection five of section thirty of this Act."

Limitation.

(3) This section shall come into force on the first day of May, 1951.

Coming into force.

20. Schedules A and B to the said Act, as enacted by section eighteen of chapter twenty-three of the statutes of 1947-48, are amended by striking out the word "Military" wherever it appears therein and substituting the word "Army" therefor in each case.

15 GEORGE VI.

CHAP. 57.

An Act respecting the Canada Post Office.

[Assented to 30th June, 1951.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

SHORT TITLE.

1. This Act may be cited as *The Post Office Act*.

Short title.

INTERPRETATION.

2. (1) In this Act,

(a) "Canada Post Office" means the activities conducted under the direction and control of the Postmaster General; Definitions.
"Canada Post Office".

(b) "delivery", as applied to mail, means delivery to the addressee thereof, and, for the purposes of this Act, "delivery".

(i) leaving mail at the residence or place of business of the addressee,

(ii) depositing mail in a post office lock box or rural mail box or any other receptacle provided for the receipt of mail,

(iii) leaving mail with the addressee or his servant or agent or with any other person considered to be authorized to receive mail,

according to the usual manner of delivering that addressee's mail, is deemed to be delivery to the addressee;

(c) "deposit at a post office" means to leave in a post office or with a person authorized by the Postmaster General to receive mailable matter; "deposit at a post office".

(d) "mail" means mailable matter from the time of its deposit at a post office to the time of its delivery; "mail".

- "mailable matter". (e) "mailable matter" includes anything that by this Act or any regulation may be sent by post;
- "mail bag". (f) "mail bag" includes any bag, sack, or other container or covering in which mail is conveyed, whether it does or does not actually contain mail;
- "mail conveyance". (g) "mail conveyance" includes any vehicle, vessel, aircraft, animal or other means used for conveying mail;
- "post letter". (h) "post letter" means any letter deposited at a post office, whether such letter is addressed to a real or fictitious person, is unaddressed, and whether intended for transmission by post or not, from the time of deposit at a post office to the time of delivery and includes any packet prepaid or payable at letter rate of postage;
- "post office". (i) "post office" includes any building, room, vehicle, letter box or other receptacle or place authorized by the Postmaster General for the deposit, receipt, sortation, handling or despatch of mail;
- "postage". (j) "postage" means the charge payable for the handling and conveyance of mail and any charge payable for any service rendered by the Canada Post Office;
- "postage stamp". (k) "postage stamp" means any stamp or impression authorized by the Postmaster General for the purpose of paying postage;
- "postal employee". (l) "postal employee" means a person employed in any business of the Canada Post Office, but does not include a mail contractor or an employee of a mail contractor;
- "postal remittance". (m) "postal remittance" means any instrument authorized or approved by the Postmaster General for remitting money;
- "postmaster". (n) "postmaster" means a postal employee in charge of a postal area or postal agency, whether in a temporary or permanent capacity;
- "send by post". (o) "send by post" or "transmit by post" means to send by, through or by means of the Canada Post Office;
- "transmit by post". (p) "to post" means to deposit mailable matter at a post office for transmission by post;
- "to post".
- "undeliverable mail". (q) "undeliverable mail" means mail that for any cause cannot be delivered to the addressee and includes any mail the delivery of which is prohibited by law or is refused by the addressee or on which postage due is not paid by the sender on demand.

In course
of post.

(2) An article shall be deemed to be in the course of post from the time it is deposited at a post office until it is delivered.

ORGANIZATION OF DEPARTMENT.

3. There shall be a department of the Government of Canada which shall be called the Post Office Department, with headquarters at Ottawa, over which the Postmaster General for the time being appointed by commission under the Great Seal of Canada shall preside. Department established.

4. (1) The Governor in Council may appoint an officer who shall be called the Deputy Postmaster General who shall be the deputy head of the Department and shall hold office during pleasure. Deputy Postmaster General.

(2) Such other officers, clerks and employees as are necessary for the proper conduct of the business of the Department shall be appointed or employed in the manner authorized by law. Employees.

POWERS, DUTIES AND FUNCTIONS OF
POSTMASTER GENERAL.

5. (1) Subject to this Act, the Postmaster General shall administer, superintend and manage the Canada Post Office, and, without restricting the generality of the foregoing, may Powers, etc., of P.M.G.

(a) establish, manage, operate, maintain and close post offices, postal stations, postal agencies, sub-post offices and postal routes; Establishment of post offices, etc.

(b) appoint postmasters and assistants when such appointments are not otherwise provided for by law; Appointment of postmasters.

(c) establish and operate a system Establishment of systems.
 (i) for the registration of mail, and may fix fees therefor and out of postal revenue pay indemnity; Registration.
 (ii) of special delivery of mail, and may fix fees therefor and out of postal revenue pay messengers notwithstanding the *Civil Service Act*; Special delivery.

(iii) of parcel post, and may fix postage rates therefor and determine the method of prepayment thereof; Parcel post.

(iv) of insurance of mail, and may out of postal revenue pay indemnity in case of loss or damage, fix fees therefor and determine the amount of indemnity payable; Insurance.

(v) of cash on delivery of mail, and may fix fees therefor and determine the method of payment thereof, collect charges due and out of postal revenue pay indemnity in case of loss or damage; C.O.D.

(vi) of transmitting money by postal remittances, and may fix the fees therefor, provide for the manufacture or printing of any instrument or document required for the system, and arrange Remittances.

- for the exchange of postal remittances with any country or independent postal administration; and
- Savings bank. (vii) of a post office savings bank; and such other services and systems as he deems necessary or advisable for the efficient operation of the Canada Post Office;
- Door-to-door delivery. (d) with the consent of the Governor in Council provide for the door-to-door delivery of mail;
- Removal, etc., of postal employees. (e) remove or suspend or impose lesser penalties on any postal employee for misconduct in office;
- Letter boxes. (f) provide and arrange for the erection of letter boxes or other receptacles at such locations as he deems appropriate, in which mail or mailable matter may be deposited or stored;
- Postage stamps. (g) cause to be manufactured and distributed for sale postage stamps, post cards, envelopes, letter forms, post bands, wrappers and any other forms with postage printed thereon;
- Sale of stamps. (h) authorize agents to sell to the public postage stamps and stamped forms and envelopes and allow to such agents a commission not exceeding two per cent. of the amount of their sales;
- Stamp machines. (i) install or permit to be installed or erected stamp vending machines and machines for the making or printing of postage impressions;
- International arrangements. (j) make and give effect to any postal agreement or arrangement with the government or postal authorities of any country or independent postal administration and pay out of postal revenue any remuneration or indemnity thereby provided;
- Security. (k) require any person to give security to His Majesty for the due performance of duties in any matter relative to the Canada Post Office by any postal employee or by any one performing any business of the Canada Post Office;
- Guarantee fund. (l) establish and maintain a fund derived from moneys received from postal employees and pay out of the fund losses sustained by reason of the default or neglect of any postal employee or mail contractor in carrying out his duties in any matter relating to the Canada Post Office;
- Undeliverable mail. (m) establish a section of the Department for the receipt and disposition, in accordance with this Act and the regulations, of non-mailable matter and undeliverable mail;
- Postal areas. (n) establish and alter the limits of postal areas;
- Mail contracts. (o) enter into and enforce contracts relating to the conveyance of mail or to any other business of the Canada Post Office;

- (p) decide in any particular case what is a letter, mailable matter or non-mailable matter; Determination of what is letter, etc.
- (q) determine the classification of any piece of mail or mailable matter and the rate of postage applicable thereto; Determination of class of mail.
- (r) determine in any particular case whether the conditions under which mailable matter may be sent by post have been complied with, and for such purpose may open any mail other than post letters; and Determination of whether mailing conditions complied with.
- (s) pay out of postal revenue losses resulting from fire, theft or forgery. Losses.
- (2) Nothing in paragraphs (l) and (s) of subsection one creates any liability on the part of His Majesty to indemnify any person for any losses or to pay any damages in respect thereof. No liability.

REGULATIONS.

6. The Postmaster General may make regulations for the efficient operation of the Canada Post Office and for carrying the purposes and provisions of this Act into effect, and, without restricting the generality of the foregoing, may make regulations: Regulations.
- (a) prescribing, for the purposes of this Act, what is a letter and what is mailable matter and non-mailable matter; Letter, etc.
- (b) for the classification of mailable matter; Classification.
- (c) fixing the rate of postage on mailable matter posted in Canada for delivery outside Canada; Rates on International mail.
- (d) establishing rates of postage on any class of mailable matter for which a rate is not established by this Act; Other rates.
- (e) establishing a surcharge on any mailable matter for special services; Special services.
- (f) prescribing the conditions under which mailable matter may be sent by post; Conditions.
- (g) for excluding non-mailable matter from the mails and providing for the return to the sender or other disposition of non-mailable matter; Non-mailable matter.
- (h) for the operation of post offices, postal agencies and post routes; Operation of post offices.
- (i) for the payment and collection of deficient postage on mail and providing for the return to the sender of any mail on which deficient postage is not paid; Deficient postage.
- (j) for the operation of any system established pursuant to section five; Operation of systems.
- (k) for the administration of the fund referred to in paragraph (l) of subsection one of section five; Administration of Guarantee Fund.
- (l) providing for the transmission by post, free of postage, of books for the use of the blind; Books for the blind.
- (m) prescribing the conditions and circumstances under which letters, accounts, papers and supplies relating Free postage for postal supplies.

	solely to the business of the Canada Post Office and addressed to or sent by a postal employee may be sent free of postage;
Oaths.	(n) requiring postal employees to take the oath of allegiance, an oath of secrecy and an oath of office, and requiring mail contractors and their employees to take an oath of office;
Examinations.	(o) providing for the taking of examinations by postal employees and for the reduction of the salary or rank of any employee who is inefficient or whose services or conduct is unsatisfactory;
Postage due.	(p) fixing the amount payable in respect of mail, other than post letters, on which postage has not been prepaid or sufficiently prepaid;
Undeliverable mail.	(q) providing for the return to the sender of undeliverable mail and the disposition of any such mail where the sender cannot be found;
International mail.	(r) for carrying out any postal agreement or arrangement referred to in paragraph (j) of subsection one of section five; and
Exemptions from exclusive privilege.	(s) exempting from his exclusive privilege under section eight letters carried by any of the naval, army or air forces of any country other than Canada that with the consent of the Government of Canada are lawfully present in Canada.

USE OF MAILS FOR UNLAWFUL PURPOSES.

Unlawful use of mails.	<p>7. (1) Whenever the Postmaster General believes on reasonable grounds that any person</p> <p>(a) is, by means of the mails,</p> <p>(i) committing or attempting to commit an offence, or</p> <p>(ii) aiding, counselling or procuring any person to commit an offence, or</p> <p>(b) with intent to commit an offence, is using the mails for the purpose of accomplishing his object,</p>
Prohibitory order.	the Postmaster General may make an interim order (in this section called an "interim prohibitory order") prohibiting the delivery of all mail directed to that person (in this section called the "person affected") or deposited by that person in a post office.
Notice.	(2) Within five days after the making of an interim prohibitory order the Postmaster General shall send to the person affected a registered letter at his last known address informing him of the order and the reasons therefor and notifying him that he may within ten days of the date the registered letter was sent, or such longer period as the Postmaster General may specify in the letter, request that

the order be inquired into, and upon receipt within the said ten days or longer period of a written request by the person affected that the order be inquired into, the Postmaster General shall refer the matter, together with the material and evidence considered by him in making the order, to a Board of Review consisting of three persons nominated by the Postmaster General one of whom shall be a member of the legal profession.

(3) The Board of Review shall inquire into the facts and circumstances surrounding the interim prohibitory order and shall give the person affected a reasonable opportunity of appearing before the Board of Review, making representation to the Board and presenting evidence.

Board of
Review.

(4) The Board of Review has all the powers of a commissioner under Part I of the *Inquiries Act*, and, in addition to the material and evidence referred to the Board by the Postmaster General, may consider such further evidence, oral or written, as it deems advisable.

Powers of
Board.
R.S., c. 99.

(5) Any mail detained by the Postmaster General pursuant to subsection eight may be delivered to the Board of Review, and, with the consent of the person affected, may be opened and examined by the Board.

Opening of
mail by
consent.

(6) The Board of Review shall, after considering the matter referred to it, submit a report with its recommendation to the Postmaster General, together with all evidence and other material that was before the Board, and upon receipt of the report of the Board, the Postmaster General shall reconsider the interim prohibitory order and he may revoke it or declare it to be a final prohibitory order, as he sees fit.

Report of
Board.

(7) The Postmaster General may revoke an interim or final prohibitory order when he is satisfied that the person affected will not use the mails for any of the purposes described in subsection one, and the Postmaster General may require an undertaking to that effect from the person affected before revoking the order.

Revocation
of order.

(8) Upon the making of an interim or final prohibitory order and until it is revoked by the Postmaster General,

Effect of
order.

(a) no postal employee shall without the permission of the Postmaster General

(i) deliver any mail directed to the person affected,
or

(ii) accept any mailable matter offered by the person affected for transmission by post,

(b) the Postmaster General may detain or return to the sender any mail directed to the person affected and anything deposited at a post office by the person affected, and

(c) the Postmaster General may declare any mail detained pursuant to paragraph (b) to be undeliverable

mail, and any mail so declared to be undeliverable mail shall be dealt with under the regulations relating thereto.

Interim
order deemed
final order.

(9) Where no request that an interim prohibitory order be inquired into is received by the Postmaster General within the period mentioned in subsection two, the order shall, at the expiration of the said period, be deemed to be a final prohibitory order.

EXCLUSIVE PRIVILEGE OF THE POSTMASTER GENERAL.

Exclusive
privilege
of P.M.G.

8. (1) Except as provided in subsection two, the Postmaster General has the sole and exclusive privilege of collecting, conveying and delivering letters within Canada.

Exceptions.

(2) The exclusive privilege referred to in subsection one does not apply to

- (a) letters carried by a friend on his way, journey or travel, if such letters are delivered by such friend to the addressee;
- (b) letters concerning the private affairs of the sender or addressee when sent casually by a messenger;
- (c) commissions, affidavits, writs, processes or proceedings issued by a court of justice;
- (d) letters lawfully brought into Canada and immediately posted at the nearest post office;
- (e) letters of merchants, owners of vessels of merchandise, or owners of the cargo or loading therein, when carried by such vessel or by any person employed by such owners and delivered to the respective addressees, without pay, reward, advantage or profit for so doing;
- (f) letters concerning goods or merchandise to be delivered with the goods to which such letters relate, carried by common known carriers without reward, profit or advantage for receiving or delivering them.

Collections.

(3) Nothing in subsection two authorizes any person to collect or receive any letters for the purpose of sending, conveying, or delivering them as described in that subsection.

Parcels, etc.

9. Nothing in this Act shall be construed as requiring any person to send any parcel, newspaper, pamphlet, or other printed matter by post.

RATES OF POSTAGE.

Letters.

Rates on
letters.

10. The rates of postage on letters posted in Canada for delivery in Canada are:

- (a) on each letter for delivery within the postal area in which it is posted, three cents for the first ounce or fraction of an ounce, and one cent for each additional ounce or fraction of an ounce, and

- (b) on each letter posted within one postal area for delivery in another postal area and on each letter posted or delivered on a rural mail route, four cents for the first ounce or fraction of an ounce, and two cents for each additional ounce or fraction of an ounce.

Newspapers and Periodicals.

11. (1) A newspaper or periodical that

(a) is printed and published in Canada;

(b) is known and recognized as a newspaper or periodical and consists wholly or in great part of political or other news or of articles relative thereto or to other current topics;

(c) has the full title, place and date of publication and the distinguishing number of the issue prominently printed on every issue and on any paper, print, lithograph or engraving purporting to be a supplement to such newspaper or periodical;

(d) is posted by the publisher within the postal area in which the place of its office of publication is situated; and

(e) is addressed to a *bona fide* subscriber, or to a known newsdealer in Canada;

may be transmitted by mail at the postage rate specified in this section for such newspaper or periodical.

(2) Subject to subsections three and four and to section twelve, the postage rates for newspapers and periodicals referred to in subsection one are

(a) for those published daily

(i) with a circulation of ten thousand or more copies per issue, two and one-half cents for each pound weight or fraction thereof in respect of the portion that is not devoted to advertising and four cents for each pound weight or fraction thereof in respect of the portion consisting of advertising, and

(ii) with a circulation of less than ten thousand copies per issue, two and one-half cents for each pound weight or fraction thereof;

(b) for those published less frequently than daily but more frequently than once a week,

(i) with a circulation of ten thousand or more copies per issue, three cents for each pound weight or fraction thereof, and

(ii) with a circulation of less than ten thousand copies per issue, two cents for each pound weight or fraction thereof;

(c) for those published once a week

(i) with a circulation of fifty thousand or more copies per issue, three cents for each pound weight or fraction thereof,

Newspapers
and
periodicals.

Rates for
newspapers
and
periodicals.

Daily.

Semi-weekly.

Weekly.

(ii) with a circulation of less than fifty thousand but of ten thousand or more copies per issue, two and one-half cents for each pound weight or fraction thereof, and

(iii) with a circulation of less than ten thousand copies per issue, one and one-half cents for each pound weight or fraction thereof,

subject to the exception that two thousand five hundred copies per issue may be transmitted by mail free of postage within a distance of forty miles from its known place of publication in the case of a newspaper or periodical published in a city, town or village with a population of not more than ten thousand persons;

Monthly.

(d) for those published less frequently than once a week but not less frequently than once a month,

(i) with a circulation of ten thousand or more copies per issue, one and three-quarter cents for each pound weight or fraction thereof, and

(ii) with a circulation of less than ten thousand copies per issue, one and one-half cents for each pound weight or fraction thereof,

subject to the exception that two thousand five hundred copies per issue may be transmitted by mail free of postage within a distance of forty miles from its known place of publication in the case of a newspaper or periodical published in a city, town or village with a population of not more than ten thousand persons;

Quarterly.

(e) for those published less frequently than once a month but not less frequently than quarterly, two cents for each pound weight or fraction thereof; and

Other.

(f) for any other newspaper or periodical, the rates prescribed by the regulations.

Science,
religion,
agriculture.

(3) Subject to subsection four, any newspaper or periodical referred to in this section, other than one referred to in paragraph (e) or (f) of subsection two or the copies per issue of those that may be transmitted free of postage under paragraph (c) or (d) of subsection two, that is devoted to religion, the sciences or agriculture is subject to postage at the rate of one and one-half cents for each pound weight or fraction thereof.

Rate where
letter carrier
service.

(4) All copies of newspapers and periodicals referred to in this section, other than those referred to in paragraph (f) of subsection two, that are addressed for delivery within the postal area of publication where there is letter carrier delivery service, are subject to postage at the rate of one cent for the first two ounces or fraction thereof and one

cent for the next two ounces or fraction thereof and one cent for each additional four ounces or fraction thereof to each separate address.

12. (1) Specimen copies of newspapers or periodicals referred to in paragraphs (a) to (e) of subsection two of section eleven, with the exception of those mentioned in subsection four of that section, are liable to postage at the rate of four cents for each pound weight or fraction thereof within the limits prescribed by the Postmaster General. Specimens.

(2) Mixed packages of newspapers or periodicals that are mailed by known newsdealers and consist of either or both newspapers or periodicals referred to in section eleven are subject to postage at the rate of four cents for each pound weight or fraction thereof. Mixed packages.

DEFICIENT POSTAGE.

13. Any post letter on which postage has been prepaid but is not sufficiently prepaid by the sender shall be forwarded to its destination charged with double the deficient postage. Insufficiently prepaid.

14. Subject to any regulations permitting the payment of postage by the addressee, and the provisions of any agreement or arrangement referred to in paragraph (j) of subsection one of section five, any post letter on which no postage has been paid by the sender shall be deemed to be and shall be dealt with as undeliverable mail. Unpaid

15. The postage due on mail shall be paid by the addressee before the mail is delivered to him, and any refusal to pay the postage due on mail shall be deemed to be a refusal to receive such mail. Postage due payable before delivery.

16. The postage due on undeliverable mail is recoverable from the sender. Postage due recoverable from sender.

FREE MAIL.

17. (1) Mailable matter addressed to or sent by the Governor General, or sent to or by any department of the Government of Canada at Ottawa, is free of Canada postage under such regulations as are made in that respect by the Governor in Council. Governor General and Government departments.

(2) Mail shall be transmitted free of postage when sent to or by Senate and House of Commons.

(a) the Speaker or Clerk of the Senate or House of Commons at Ottawa, or

(b) a member of the Senate or House of Commons, at Ottawa, during a session of Parliament or during the ten days immediately preceding or following a session of Parliament.

Parliamentary papers.

(3) A member of the Senate or House of Commons may, during a recess of Parliament, send from Ottawa, free of postage, any papers printed by order of either the Senate or the House of Commons.

Exception.

18. Section seventeen applies only to mail addressed to a place in Canada and does not apply to parcel post or mail endorsed for transmission by air or to fees for registration, special delivery, insurance or other special services.

Books from Library of Parliament.

19. (1) During a recess of Parliament books belonging to the Library of Parliament may be sent free of Canada postage between a librarian of Parliament at Ottawa and a member of the Senate or House of Commons at any place in Canada.

Postal supplies and books for the blind.

(2) Material relating solely to the business of the Canada Post Office, when addressed to or sent by postal employees, and books for the use of the blind, may be sent free of postage in accordance with the regulations.

POSTAL EMPLOYEES.

Salaries of postal employees. R.S., c. 22.

20. Postal employees whose compensation is not provided for under the *Civil Service Act* or any other law, may be paid out of postal revenue such salaries, commissions and allowances as the Postmaster General may prescribe.

No additional remuneration.

21. No postmaster shall in respect of his office as such be paid or retain or receive any remuneration or emolument in addition to the salary and allowances authorized by law.

MAIL CONTRACTS AND CONTRACTORS.

Invitation of tenders where amount over \$1,000.

22. Before entering into a contract for conveying mail involving an annual expenditure of more than one thousand dollars, the Postmaster General shall display public notices inviting tenders in the post offices and other public places within the area to be affected by the contract, for a period of at least three weeks.

P.M.G. may contract where amount \$1,000 or less.

23. (1) When the Postmaster General conceives that the public interest will be promoted by such a course, he may enter into contracts for conveying mail involving an annual expenditure of one thousand dollars or less, if the amount to be paid for the services to be performed under the contract does not exceed the amount ordinarily paid for services of a like nature under contracts made after inviting tenders.

(2) The Postmaster General may, in lieu of entering into a contract under subsection one, invite tenders for a contract involving an annual expenditure of one thousand dollars or less. Tenders may be called.

24. Where more than one tender has been received, the contract shall be awarded to the lowest tenderer who has offered sufficient security for the faithful performance of the contract, unless the Postmaster General is satisfied that it is not in the public interest to accept the lowest tender, and where the Postmaster General does not accept the lowest tender, he shall report his reasons therefor to the Governor in Council. Lowest tenderer to be accepted except for cause.

25. The Postmaster General is not bound to consider the tender of any person who, in the opinion of the Postmaster General, Certain tenders need not be considered.

- (a) has wilfully or negligently failed to execute or fulfil a prior contract;
- (b) has entered or proposed to enter into any combination to prevent the submission of any tender for a mail contract; or
- (c) in order to induce anyone not to tender for a mail contract has made an agreement to do or not to do anything or has given or performed or promised to give or perform anything in respect to such tender or contract.

26. Where in the opinion of the Postmaster General the lowest tender received after public advertisement is excessive, he may refuse to accept any tender and may give to each tenderer an opportunity to revise his tender, and if a reasonable offer is received he may enter into the contract with the tenderer who has submitted the lowest reasonable offer, but if no reasonable offer is received the Postmaster General may either again invite tenders pursuant to section twenty-two or may invite offers from any person in such manner as he deems expedient, and an offer so received shall for the purposes of sections twenty-four, twenty-five and thirty be deemed to be a tender. Where tenders excessive.

27. Subject to the provisions of this Act, the Postmaster General may, when in his opinion the interest of the public service will be promoted thereby, enter into a contract with a postmaster for the conveyance of mail. Contracts with postmasters.

28. (1) Every tender for the conveyance of mail shall be accompanied by a statement, signed by one or more responsible guarantors, to the effect that he or they undertake that the tenderer will, if his tender is accepted and Guarantors

within such time as is prescribed by the Postmaster General, enter into a contract to perform the service and provide sureties.

Failure to
enter into
contract.

(2) Where a tenderer is notified of the acceptance of his tender and he fails to enter into the contract and to provide sureties, the Postmaster General may enter into a contract with some other person for the performance of the service, and the amount by which the tender of such other person exceeds the amount of the original tender may be recovered from the original tenderer and his guarantors as a debt due to the Crown.

Contracts
with
railway, etc.

29. The Postmaster General may, without public advertisement, enter into a contract for conveying mail with any person operating a railway, air, steamboat or bus service, but no such contract involving an annual expenditure of more than five thousand dollars may be entered into without the approval of the Governor in Council.

Record of
tenders.

30. The Postmaster General shall keep a record of all tenders received for conveying mail, and the record shall show

- (a) the service in respect of which the tender was made;
 - (b) the date each tender was made and received;
 - (c) the names of the tenderers, the conditions governing the tender, the amount tendered and the term in respect of which the tender was made; and
 - (d) whether the tender was accepted or rejected;
- and the Postmaster General shall preserve the original tenders for a period of not less than twelve years.

Terms of
contract.

31. No contract shall be entered into for the conveyance of mail for a term of more than four years, but the Postmaster General may renew a contract with the original contractor for a further term or terms not exceeding four years each, if the service has been satisfactorily performed under an expiring contract and the public interest will be served by a renewal thereof.

Temporary
arrangements.

32. The Postmaster General may make temporary arrangements for the conveyance of mail until a regular contract is entered into.

Increase or
alteration of
service.

33. Where there is a substantial increase or alteration in the service required under a mail contract necessitating additional expenditure by the contractor, the Postmaster General may increase the amount stipulated in the contract, but the increase in payment shall bear a fair relation to the amount payable under the contract.

TRANSPORTATION OF MAILS.

34. Every common carrier in Canada, when so required by the Postmaster General, shall carry mail and any duly accredited postal employee, on such terms and conditions and under such regulations as may be prescribed by the Governor in Council.

Duty of common carriers to carry mail.

35. No vehicle conveying mail is exempt from tolls or dues on any road, bridge or ferry in Canada, unless the Act or charter authorizing such road, bridge, or ferry provides such exemption.

Tolls.

36. Every ferryman shall upon request and without delay convey over his ferry any mail or mail conveyance and any person in charge thereof; the sum to be paid for such ferry service may be fixed by contract, but in no case shall it exceed what is ordinarily charged the public for comparable service.

Obligations of ferryman.

37. No toll-gate keeper or ferryman may detain or delay any mail or mail conveyance for the purpose of demanding toll or ferriage, but the toll or ferriage, if due and not paid, is recoverable in the usual course of law from the person liable.

Mail not to be delayed.

38. The Postmaster General may in emergencies make whatever arrangements for conveying mail are necessary in the interests of the public service.

Emergency arrangements.

PROPERTY IN MAILS.

39. Subject to the provisions of this Act and the regulations respecting undeliverable mail, mailable matter becomes the property of the person to whom it is addressed when it is deposited in a post office.

Mail becomes property of addressee.

40. Neither His Majesty nor the Postmaster General is liable to any person for any claim arising from the loss, delay or mishandling of anything deposited in a post office, except as provided in this Act or the regulations.

No liability for loss, etc.

41. Notwithstanding anything in any other Act or law, nothing is liable to demand, seizure or detention while in the course of post, except as provided in this Act or the regulations.

Mails not subject to seizure.

UNDELIVERABLE MAIL.

42. All undeliverable mail and all non-mailable matter found in the mails shall be sent to the section of the Department established by the Postmaster General for the receipt thereof and shall be dealt with as provided in the regulations.

Undeliverable mail.

Proceeds of
sale.

43. (1) The proceeds received from the sale of any matter pursuant to the regulations shall be accounted for as postal revenue.

Money.

(2) Any money found in undeliverable mail that is disposed of under the regulations otherwise than by return to the sender shall be accounted for as postal revenue, but the Postmaster General shall keep a record thereof and may pay the amount thereof to any person who establishes to the satisfaction of the Postmaster General that he was the sender or addressee thereof.

IMPORTED GOODS.

Mail to be
submitted
to customs
officer.

44. (1) All mail from a country other than Canada containing or suspected to contain anything subject to customs or other import duties or tolls or anything the importation of which is prohibited shall be submitted to a customs officer for examination.

Opening
of mail.

(2) A customs officer may open any mail, other than letters, submitted to him under this section, and may cause letters to be opened in his presence by the addressee thereof; and where the addressee of any letter cannot be found or where he refuses to open the letter, the customs officer shall return the letter to the Canada Post Office and it shall be dealt with as undeliverable mail in accordance with the regulations.

Disposition
of goods.

(3) A customs officer shall, in accordance with the laws relating to customs and the importation of goods, deal with all mail submitted to him under this section, and upon compliance with such laws, may deliver such mail to the addressee, subject to the payment of any postage due thereon, or may return it to the Canada Post Office for transmission through the post in the usual way.

Non-mailable
matter.

(4) Any non-mailable matter found by a customs officer in any mail submitted to him under this section shall be transmitted to the Postmaster General to be dealt with in accordance with the regulations.

UNITED STATES MAIL PASSING THROUGH CANADA.

Transporta-
tion of
United States
mail.

45. (1) The Postmaster General may from time to time make any arrangement he deems expedient for allowing United States mail to be transported through any portion of Canada from a place in the United States to any other place in the United States.

U.S. mail
deemed
Canada
mail.

(2) Any United States mail transported through Canada shall, while in Canada, be deemed to be Canada mail, and all the provisions of this Act respecting mail apply to such United States mail.

INVESTIGATIONS.

46. (1) The Postmaster General may at any time designate an officer employed in the Canada Post Office to investigate and report upon the state and management of the business, or any part of the business, of the Canada Post Office, and the conduct of any postal employee or mail contractor so far as it relates to his official duties.

Appointment of officer to investigate.

(2) An officer designated under subsection one has all the powers of a commissioner under Part II of the *Inquiries Act*, and, if so authorized by the Postmaster General, may

Powers

suspend any postal employee suspected of misconduct in his office.

R.S., c. 99.

POST OFFICE SAVINGS BANK.

47. (1) A postmaster, or other postal employee, who receives a deposit in the post office savings bank shall immediately enter the amount thereof in the depositor's pass-book and shall attest and date stamp the entry.

Entry in pass-book.

(2) Each deposit in the post office savings bank shall be reported to the Postmaster General on the day it is received, and the Postmaster General shall transmit to the depositor an acknowledgment of the deposit.

Acknowledgment.

(3) An acknowledgment under subsection two is conclusive evidence of the claim of the depositor to the amount deposited.

Evidence of claim.

(4) The entry made in the depositor's pass-book pursuant to subsection one is conclusive evidence of the depositor's claim for such period as may be specified by the Governor in Council.

Evidence for limited time.

48. Money deposited with the post office savings bank is not at any time liable to demand, seizure or detention under legal process against the depositor thereof.

Non-seizure of money.

Withdrawal.

49. A depositor is entitled to withdraw from the post office savings bank any sum that is due to him, on the demand of the depositor, or person legally authorized to claim on account of the depositor, made in the form and manner prescribed by the regulations.

Withdrawal on demand.

50. Every payment made in good faith to any person who, by the production of a declaration in writing and documents in support thereof, made under the provisions of this Act or any regulation, *prima facie* appears to be

Payments valid.

entitled to any deposit or interest, is valid and discharges the Crown, the postmaster and every other person from all or any claim by any person for such deposit or interest.

Execution
of trusts.

51. (1) No postal employee or other officer, servant or employee of His Majesty in right of Canada is bound to see to the execution of any trust, whether express, implied or constructive, to which any deposit in the post office savings bank is subject.

Receipt a
discharge.

(2) The receipt of the person in whose name any deposit in the post office savings bank stands, or, where it stands in the name of more than one person, the receipt of any one of such persons, is a sufficient discharge to all persons concerned for the payment of any money payable in respect of such deposit, notwithstanding any trust to which such deposit is then subject, and whether or not the postmaster with whom the deposit was made or any other postal employee is charged with such trust or had knowledge thereof.

Application
of money.

(3) No postal employee or other officer, servant or employee of His Majesty in right of Canada is responsible for the disposal or application of the money paid upon such receipt.

Interest
rate.

52. (1) Interest shall be paid to depositors in the post office savings bank at such rate, not exceeding four per cent. per annum, as the Governor in Council from time to time prescribes.

Calculation.

(2) Interest shall not be calculated on any amount less than one dollar or on any amount other than a dollar or some multiple thereof.

When
payable.

(3) Interest shall not commence until the first day of the month next following the day of deposit, and shall cease on the first day of the month on any amount withdrawn during that month.

Interest
added.

(4) Interest on deposits in the post office savings bank shall be added to and become part of the principal as of the thirty-first day of March in each year.

Secrecy.

No dis-
closure.
1931, c. 27.

53. Subject to *The Consolidated Revenue and Audit Act, 1931*, postmasters and other postal employees shall not disclose the name of any depositor in the post office savings bank or give any information concerning the amount that he has on deposit or the amount deposited or withdrawn, except to the Postmaster General or duly authorized postal employees.

Returns.

54. As soon as possible after the end of each month, the Postmaster General shall make a return to the Minister of Finance of all moneys deposited in and withdrawn from the post office savings bank during the preceding month, indicating the total amount on deposit at the end of each month, and the Postmaster General shall cause such monthly statement to be published in the *Canada Gazette*.

Monthly
returns.

Publication
in *Canada
Gazette*.

OFFENCES AND PENALTIES.

55. Every person who unlawfully opens or wilfully keeps, secretes, delays or detains, or procures, or suffers to be unlawfully opened, kept, secreted, or detained, any mail bag, post letter, or other article of mail, or any receptacle authorized by the Postmaster General for the deposit of mail, whether the same came into the possession of the offender by finding or otherwise, is guilty of an indictable offence.

Opening or
secreting
mail bag.

56. Every person who abandons, obstructs or wilfully delays the passing or progress of any mail or mail conveyance is guilty of an indictable offence.

Abandon-
ment of mail.

57. Every toll-gate keeper who, whether for the purpose of collecting toll or other purpose, refuses or neglects forthwith upon demand to allow any mail or mail conveyance to pass through the toll-gate is guilty of an indictable offence.

Refusal of
toll-gate
keeper to
allow mail
to pass.

58. Every ferryman who wilfully detains or delays or refuses to convey any mail or mail conveyance by his ferry is guilty of an indictable offence.

Delay by
ferryman.

59. Every person who encloses in or with any letter, packet or other mailable matter sent by post, or puts into any post office, any explosive, dangerous or destructive substance or liquid or any matter or thing likely to injure or damage any mail or the person of any postal employee is guilty of an indictable offence.

Explosives,
dangerous
substances,
etc.

60. Every person who with fraudulent intent

(a) removes from any mail any postage stamp affixed thereon, or

(b) removes from any previously used postage stamp, any mark or cancellation that has been made thereon at any post office,

is guilty of an indictable offence.

Removal of
stamp.

Pledge of
stamps.

61. Every postal employee or mail contractor who hypothecates, pledges or subjects to a lien, any postage stamps or postal remittances entrusted to him for safe keeping, sale or issue to the public, or for any other purpose, or who attempts to do so, is guilty of an indictable offence.

Conversion
of public
moneys.

62. (1) Every postal employee or mail contractor who converts to his own use in any way, or uses by way of investment in any kind of property, or lends with or without interest, or wilfully fails to deposit to the credit of the Receiver General of Canada, public moneys entrusted to him, is deemed to have stolen such moneys and is guilty of an indictable offence.

Evidence.

(2) The neglect or refusal of any postal employee or mail contractor to transfer, disburse, or deposit, in accordance with the regulations, any public moneys in his possession is *prima facie* evidence of the conversion to his own use of such public moneys.

Participation.

(3) Every person who advises, or knowingly and willingly participates in, a contravention of subsection one is guilty of an indictable offence.

Destruction
of records.

63. Every person who wilfully destroys, mutilates, obliterates, defaces, erases or changes any record or account of any transaction pertaining to the business of the Canada Post Office, or refuses to produce or to deliver to any inspector or other authorized officer of the Canada Post Office on demand, anything containing or that ought to contain any such record or account is guilty of an indictable offence.

Alteration of
documents.

64. Every person who, with fraudulent intent, unlawfully issues or alters any postal remittance or post office savings bank pass-book or acknowledgment is guilty of an indictable offence.

Forging.

65. Every person who, with fraudulent intent, forges, counterfeits or imitates any postal remittance or any signature or writing in or upon any postal remittance, or a post office savings bank pass-book or authority of the Postmaster General for the withdrawal of moneys deposited in the post office savings bank or any signature or writing in or upon any such pass-book or authority, is guilty of an indictable offence.

Improper
issue of
postal re-
mittances.

66. Every postal employee who issues any postal remittance without having first received and placed with the post office cash the sum payable therefor is guilty of an indictable offence, except in cases where postal remittances are used for the transaction of post office business under the regulations.

67. Every person who, for the purpose of evading the payment of postage, encloses a letter or any writing intended to serve the purpose of a letter in any article of mail not prepaid at letter rate is guilty of an offence.

Evading
payment of
postage.

68. Every person who uses or attempts to use in prepayment of postage any previously used postage stamp or who uses or attempts to use for the purpose of transmission by post any stamped post card, stamped envelope, stamped post-band or stamped wrapper that has been previously used is guilty of an offence.

Use of
postage
previously
used.

69. Every person who, in violation of the prerogatives of the Postmaster General under section eight, collects, conveys or delivers, or undertakes to collect, convey or deliver any letter within Canada, or receives or has in his possession within Canada any letter for the purpose of so conveying or delivering it, is, for each and every letter in respect of which the prerogative of the Postmaster General has been violated, guilty of an offence.

Violation of
P.M.G.'s
privileges.

70. Every person who, without the written licence of the Postmaster General, engages in the business of selling postage stamps to the public for the purpose of prepayment of postage is guilty of an offence.

Selling
stamps.

71. (1) Every person who, without the written licence of the Postmaster General, places or permits or causes to be placed or to remain on his house, building or premises the words "post office", or any other word or mark suggesting or indicating that such house, building or premises is a post office or a place for the receipt of letters, is guilty of an offence.

Unlawful
use of words
"post office".

(2) Every person who, without the written licence of the Postmaster General, places upon any article any word or mark suggesting or indicating that the article

Unlawful
use of postal
marks.

(a) has been authorized or approved by the Postmaster General,

(b) is used in the Canada Post Office, or

(c) is of a kind similar to or the same as an article used in the Canada Post Office,

is guilty of an offence.

72. Every person who unlawfully uses or affixes any mark, signature or initials upon mailable matter with the intent of securing transmission thereof by post free of postage or at a lower rate of postage or of indicating that the postage thereof or any part thereof has been prepaid or ought to be paid by or charged to any other person is guilty of an offence.

Unlawful
franking.

Penalty.

73. (1) Every person who is guilty of an indictable offence under this Act is liable, on conviction, to a fine not exceeding three thousand dollars or to imprisonment for a term not exceeding three years or to both fine and imprisonment.

Idem.

(2) Every person who is guilty of an offence under this Act, other than an indictable offence, is liable on summary conviction to a fine not exceeding one hundred dollars or to imprisonment for a term not exceeding two months or to both fine and imprisonment.

Stolen property.

74. The Postmaster General may, upon satisfactory evidence, pay over or deliver to such person as he considers to be the rightful owner thereof, any sum of money or other property stolen from the mails and recovered.

Evidence.

75. In any prosecution under this Act evidence that any thing bears the words "Post Office", "Canada Post Office", "Canada Mail" or any similar expression is *prima facie* proof that the thing was established or authorized for use in connection with the Canada Post Office under the authority of this Act.

APPLICATION OF OTHER ACTS.

Application of Revenue Acts.

76. Every Act of Parliament respecting the collection and management of the revenue, the auditing of the public accounts and the liabilities of public accountants, applies to the Canada Post Office, to postal employees and to persons collecting or accounting for postal revenue, except in so far as any provision of such Act is not susceptible of such application or is inconsistent with any provision of this Act.

POSTMASTER GENERAL'S REPORT.

Report to Parliament.

77. (1) The Postmaster General shall submit annually to the Governor General a report of the Canada Post Office for the preceding fiscal year, containing a statement of the gross revenue collected, the amounts paid by the Postmaster General from revenue, the amounts paid into the Consolidated Revenue Fund, the amounts paid from moneys voted by Parliament, post office savings bank transactions, and information concerning such other activities of the Canada Post Office as the Postmaster General deems advisable.

(2) The report referred to in subsection one, if completed when Parliament is in session, shall be laid before Parliament forthwith, and if not so completed, within ten days after the commencement of the next ensuing session of Parliament. ^{When tabled.}

REPEAL.

78. The *Post Office Act*, the *Savings Banks Act* and Part IX of the *Excise Tax Act* are repealed. ^{Repeal.}

R.S., c. 161.
R.S., c. 15.
1947, c. 60.

OTTAWA: Printed by EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
Law Printer to the King's Most Excellent Majesty.

15 GEORGE VI.

CHAP. 58.

An Act to amend The Prairie Farm Rehabilitation Act.

1935, c. 23;
1937, c. 14;
1939, c. 7;
1940-41, c. 25;
1947-48, c. 25.

[Assented to 30th June, 1951.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. Section six of *The Prairie Farm Rehabilitation Act*, chapter twenty-three of the statutes of 1935, as enacted by chapter twenty-five of the statutes of 1947-48, is repealed and the following substituted therefor:

"6. (1) All engineers, clerks and stenographers required for carrying out the provisions of this Act shall be appointed in accordance with the provisions of the *Civil Service Act*.

Employees.

R.S., c. 22.

(2) The Minister may appoint a Director of Rehabilitation, an Associate Director of Rehabilitation and all other officers and employees required for carrying out the provisions of this Act, except those mentioned in subsection one, but the salaries and expenses of all persons appointed by the Minister under this subsection shall be fixed by the Governor in Council.

Director,
Associate
Director and
certain other
employees.

(3) A person who at the coming into force of this section was employed under this Act and whose position is declared by the Governor in Council to be of continuing indeterminate duration shall be deemed to be a civil servant for the purposes of the *Civil Service Superannuation Act*."

Super-
annuation
of certain
employees.

R.S., c. 24.

2. (1) The proviso to paragraph (a) of section ten of the said Act, as enacted by section one of chapter twenty-five of the statutes of 1940-41, is repealed.

(2) Section ten of the said Act is further amended by adding thereto the following subsection:

"(2) No single project or scheme under this section involving an expenditure in excess of ten thousand dollars in any fiscal year shall be undertaken without the consent of the Governor in Council."

Limitation.

15 GEORGE VI.

CHAP. 59.

An Act to amend The Returned Soldiers' Insurance Act.

[Assented to 30th June, 1951.]

1920, c. 54;
1921, c. 52;
1922, c. 42;
1923, c. 67;
1928, c. 45;
1929, c. 56;
1930, c. 38.

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. (1) Subparagraphs (i) and (ii) of paragraph (b) of section two of *The Returned Soldiers' Insurance Act*, chapter fifty-four of the statutes of 1920, are repealed and the following substituted therefor:

Definitions.

“(i) a legally adopted child;

“(ii) a stepchild who is designated by the insured as a beneficiary and in such designation is described either by name or as a stepchild; and”

Definition
of child,
amended.

(2) Paragraphs (d) and (e) of section two of the said Act are repealed and the following substituted therefor:

“(d) ‘Minister’ means the Minister of Veterans Affairs or such other Minister as the Governor in Council may from time to time determine;

“Minister”.

“(e) ‘parent’ includes a father, mother, grandfather, grandmother, stepfather, stepmother, foster-father, foster-mother, of either the insured or the spouse of the insured;”

“parent”.

2. Subsection two of section three of the said Act, as enacted by section two of chapter fifty-two of the statutes of 1921, subsections three and four of section three of the said Act and subsection five of section three of the said Act, as amended by section one of chapter forty-five of the statutes of 1928, are repealed and the following substituted therefor:

“(2) Subject to subsection three, payment under an insurance contract shall be made on the death of the insured in an amount not exceeding two thousand dollars and the remainder, if any, or the portion thereof to which any

How
payable.

beneficiary is entitled, shall, at the option of the insured, be payable as

- (a) an annuity certain for five, ten, fifteen or twenty years;
- (b) a life annuity; or
- (c) an annuity guaranteed for five, ten, fifteen or twenty years and payable thereafter as long as the beneficiary may live.

Where remainder of an annuity is less than five hundred dollars.

(3) Where, at the death of the insured, the insurance money remaining to be paid as an annuity to a beneficiary is less than five hundred dollars, the Minister may, upon the request of the said beneficiary and if satisfied that it is in the best interests of the beneficiary to do so, direct that such money be paid in such manner and in such amounts, including payment in a lump sum, as the Minister may consider appropriate."

3. Sections four and five of the said Act, section six of the said Act, as enacted by section three of chapter fifty-two of the statutes of 1921, sections seven and eight of the said Act and section nine of the said Act, as amended by section four of chapter fifty-two of the statutes of 1921, are repealed and the following substituted therefor:

Spouse and children as beneficiaries.

"4. (1) Where the insured is married, or is a widow or a widower or divorced or unmarried, and with children, the beneficiary shall be the spouse or children of the insured, or some one or more of such persons.

Future spouse and children as beneficiaries.

(2) Where the insured is unmarried, or is a widow or a widower or divorced, and without children, the beneficiary shall be the future spouse or future children of the insured, or some one or more of such persons.

Apportionment of insurance money.

(3) Where the insured designates more than one beneficiary, the insured may apportion, and may at any time reapportion, the insurance money between or among them as he sees fit, and, in default of any such apportionment, the insurance money shall be paid in equal shares to the designated beneficiaries surviving the insured.

New designation where death of beneficiary.

(4) Where a designated beneficiary dies in the lifetime of the insured, the insured may, subject to subsections one and two, designate a beneficiary or beneficiaries to whom the share formerly apportioned to the deceased beneficiary shall be paid, and, in default of any such designation, the said share shall be divided equally among the surviving designated beneficiaries, if any.

Where no designated beneficiary.

(5) Where the insured does not designate a beneficiary, or where all of the beneficiaries designated by him die within his lifetime, the insurance money shall be paid to the spouse and the children of the insured in equal shares, and if the insured survives the spouse and all the children of the insured and there is no alternative beneficiary within the

meaning of section five surviving the insured, the insurance money shall be paid, as it falls due or otherwise as the minister may determine, to the estate of the insured."

"5. (1) The insured may designate as an alternative beneficiary a grandchild, parent, brother, sister, uncle, aunt, nephew, niece or first cousin of the insured or such other person as may by regulation be prescribed for the purposes of this section, or some one or more of such persons, to whom the insurance money or any portion thereof shall be paid in the event that the insured at the time of his death is unmarried or is a widow or a widower or divorced, and without children.

Designation
of alternative
beneficiaries.

(2) Where the insured survives the spouse and all the children of the insured, the insurance money shall be paid to the alternative beneficiary or beneficiaries, if any, but in default of the designation of an alternative beneficiary, or in the event of the death of all the alternative beneficiaries within the lifetime of the insured, the insurance money shall be paid, as it falls due or otherwise as the minister may determine, to the estate of the insured.

Payment to
alternative
beneficiaries
or to estate.

(3) Where the insured designates more than one alternative beneficiary, the insured may apportion, and may at any time reapportion, the insurance money between or among them as he sees fit, and, in default of any such apportionment, the insurance money shall be paid in equal shares to the alternative beneficiaries surviving the insured.

Apportion-
ment among
alternative
beneficiaries.

(4) Where an alternative beneficiary dies in the lifetime of the insured, the insured may, subject to subsection one, designate an alternative beneficiary or beneficiaries to whom the share formerly apportioned to the deceased alternative beneficiary shall be paid, and, in default of any such designation, the said share shall be divided equally among the alternative beneficiaries, if any, surviving the insured.

Death of
alternative
beneficiaries.

"6. Subject to the provisions of this Act, the insured may at any time change the beneficiary or beneficiaries, or the alternative beneficiary or beneficiaries, or vary the option as to the mode of payment or the apportionment of the insurance money, by so stating in a document that is satisfactory to the Minister.

Change of
beneficiaries.
etc.

"7. Any option, chosen by the insured, as to the mode of payment of the insurance money to a beneficiary or alternative beneficiary, may, after the death of the insured, be varied by such beneficiary or alternative beneficiary, with the consent of the Minister.

Variation of
option by
beneficiary.

"8. Where a beneficiary or alternative beneficiary survives the insured but dies before receiving all of the insurance money to which under the contract of insurance such bene-

Payment to
estate of
deceased
beneficiary.

fiary or alternative beneficiary is entitled, the remaining unpaid money shall be paid, as it falls due or otherwise as the Minister may determine, to the estate of the deceased beneficiary or deceased alternative beneficiary.

Disability
benefits and
waiver of
premiums
where total
and
permanent
disability.

“9. (1) Where an insured becomes totally and permanently disabled and is thereby rendered incapable of pursuing any substantially gainful occupation, the premiums thereafter falling due under the contract shall be waived during the continuance of such disability and the insured shall be entitled to receive as a disability benefit the payment of the sum insured in instalments not exceeding one-twentieth of the sum insured for each year of total and permanent disability, the said benefit to continue during the continuance of such disability but not to exceed payment for twenty years in all.

Where
insured dies
before full
disability
benefits paid.

(2) Where the insured dies before the total payment of disability benefits under subsection one equals the sum insured, the balance of the sum insured shall be payable as a death benefit.

Disability
benefit not
payable if
insured
received
pension under
Pension Act,
etc.
R.S., c. 157.

(3) Subsection one does not apply where the total and permanent disability of an insured is due to a disability of the insured in respect of which he receives or is entitled to receive

(a) a pension under the *Pension Act* or under the corresponding pension laws of the United Kingdom or of any of His Majesty's Dominions or of His Majesty's Government or of any of His Majesty's Allies or Associated Powers in the Great War; or

Where
deemed to be
totally and
permanently
disabled.

(b) allowances while receiving treatment by the Department of Veterans Affairs on account of war disability.

(4) Where his total disability has existed continuously for a period of at least one year, the insured shall, for the purposes of this section, be deemed to be totally and permanently disabled.

Premiums
payable after
discontinu-
ance of
disability
based upon
reduced
amount of
insurance.

(5) Where, otherwise than by reason of the death of the insured, the insured ceases to be entitled to waiver of premiums under subsection one, the premiums payable thereafter shall be based upon the reduced amount of insurance under the contract of insurance, namely, the sum insured less the aggregate of the disability benefits paid to the insured under subsection one.”

4. (1) That portion of subsection one of section ten of the said Act that precedes paragraph (a) thereof, as enacted by section one of chapter forty-two of the statutes of 1922, is repealed and the following substituted therefor:

“10. (1) If on the death of the insured a pension becomes payable under the *Pension Act* or the pension law of the United Kingdom, or of any of His Majesty's Domin-

Limit of
benefits
when death
of insured
attributable
to war
service.

ions (other than the Dominion of Canada) or of His Majesty's Government, or of any of His Majesty's Allies or Associated Powers in the Great War, to any person or persons within the classes mentioned in subsections one and two of section four or in subsection one of section five, there shall be deducted from the benefit payable under this Act the aggregate present value of the pension or pensions so payable computed on such basis as may be prescribed by regulation made under section fifteen, and in such case there shall be returned to the beneficiary or beneficiaries in proportion to their respective interests under the contracts the proportion of the premiums paid (with interest at four per centum per annum compounded annually) which the amount of the said deduction is of the total amount assured under the contract: Provided, —"

(2) Paragraph (c) of subsection one of section ten of the said Act, as enacted by section one of chapter forty-two of the statutes of 1922, is repealed and the following substituted therefor:

"(c) That this section shall not operate when the beneficiary of the insurance is the wife of the insured and a pension is awarded under the *Pension Act* to some other person or persons named in subsections one and two of section four or in subsection one of section five." Not to apply if wife is beneficiary and pension payable to members of family.

5. Section eleven of the said Act is repealed and the following substituted therefor:

"11. Notwithstanding the provisions of this Act or the terms of any contract of insurance made thereunder, premiums falling due on or after the anniversary of his contract nearest the eighty-fifth birthday of the insured shall be waived." Waiver of premiums after eighty-fifth birthday.

6. Sections twelve and thirteen of the said Act are repealed.

7. Section fourteen of the said Act is renumbered as section twelve.

8. Section fifteen of the said Act is repealed and the following substituted therefor:

"13. Notwithstanding the *Senate and House of Commons Act* or any other law, no person, by reason only of his entering into a contract of insurance or receiving a benefit under this Act, is liable to any forfeiture or penalty imposed by the *Senate and House of Commons Act* or disqualified as a member of the House of Commons or incapable of being elected to, or of sitting or voting in the House of Commons." Insured or beneficiary may be a Member of Parliament. R.S., c. 147.

9. Section sixteen of the said Act is renumbered as section fourteen.

10. (1) Section seventeen of the said Act is renumbered as section fifteen.

(2) Paragraph (a) of section fifteen of the said Act, as renumbered by this section, is repealed and the following substituted therefor:

“(a) prescribing such forms as he may consider necessary under this Act;”

(3) Paragraph (i) of section fifteen of the said Act, as renumbered by this section, is repealed and the following substituted therefor:

“(i) prescribing the class or classes of persons other than those mentioned in sections four and five who are entitled to be beneficiaries;”

11. Section eighteen of the said Act is renumbered as section sixteen.

12. Section nineteen of the said Act is repealed and the following substituted therefor:

Annual
statement.

“**17.** (1) The Minister shall cause a statement to be prepared within three months after the end of each fiscal year showing,

- (a) the premiums received during the fiscal year;
- (b) the insurance moneys paid during the fiscal year;
- (c) the number and amount of contracts in force at the end of the fiscal year; and
- (d) such further information as the Minister deems advisable.

To be laid
before
Parliament.

(2) Every such statement shall be laid before Parliament as soon as may be after it is prepared.”

13. Section twenty of the said Act, as enacted by section one of chapter thirty-eight of the statutes of 1930, is renumbered as section eighteen.

14. Section twenty-one of the said Act is repealed.

Repeal.

15. (1) Sections two and four of An Act to amend The Returned Soldiers' Insurance Act, chapter forty-two of the statutes of 1922, are repealed.

(2) An Act in respect of The Returned Soldiers' Insurance Act, chapter sixty-seven of the statutes of 1923, is repealed.

(3) Section three of An Act to amend The Returned Soldiers' Insurance Act, chapter forty-five of the statutes of 1928, is repealed.

15 GEORGE VI.

CHAP. 60.

An Act to vary the Saskatchewan Natural Resources Agreement.

[Assented to 30th June, 1951.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. This Act may be cited as *The Saskatchewan Natural Resources Transfer (Amendment) Act, 1951.* Short title.

2. The Agreement set out in the Schedule to this Act is hereby confirmed and shall take effect according to its terms. Agreement confirmed.

SCHEDULE

MEMORANDUM OF AGREEMENT

Made this 29th day of March, 1951.

BETWEEN

THE GOVERNMENT OF CANADA, represented herein by the Honourable
Douglas Charles Abbott, Minister of Finance,

Of the first part,

AND

THE GOVERNMENT OF THE PROVINCE OF SASKATCHEWAN represented
herein by the Honourable Clarence Melvin Fines, Provincial,
Treasurer,

Of the second part.

WHEREAS the Agreement entered into between the parties hereto on the 20th day of March A.D. 1930 (hereinafter referred to as the Natural Resources Transfer Agreement), was duly approved by the Parliament of Canada and the Legislature of the Province and upon an address to His Majesty from the Senate and House of Commons of Canada, was confirmed and declared to have the force of law by an Act of the Parliament of the United Kingdom of Great Britain and Northern Ireland entitled "The British North America Act, 1930" being chapter twenty-six of the Imperial Statutes, 20-21 George V;

AND WHEREAS by paragraph twenty-six of the said Natural Resources Transfer Agreement it was agreed that the provisions of the said Agreement might be varied by an Agreement confirmed by concurrent Statutes of the Parliament of Canada and the Legislature of the Province;

AND WHEREAS paragraphs six and seven of the Natural Resources Transfer Agreement provide as follows:

"6. Upon the coming into force of this Agreement, Canada will transfer to the Province the money or securities constituting that portion of the School Lands Fund, created under sections twenty-two and twenty-three of the Act to amend and consolidate the several Acts respecting Public Lands of the Dominion, being chapter thirty-one of forty-two Victoria, and subsequent statutes, which is derived from the disposition of any school lands within the Province or within that part of the Northwest Territories now included within the boundaries thereof."

"7. The School Lands Fund to be transferred to the Province as aforesaid, and such of the school lands specified in section thirty-seven of the Dominion Lands Act, being chapter one hundred and thirteen of the Revised Statutes of Canada, 1927, as pass to the administration of the Province under the terms hereof, shall be set aside and shall continue to be administered by the Province in accordance, mutatis mutandis, with the provisions of sections thirty-seven to forty of the Dominion Lands Act, for the support of schools organized and carried on therein in accordance with the law of the Province."

AND WHEREAS the effect of these provisions is that money obtained from the sale of the school lands specified therein and the said School Lands Fund may be invested only in securities of Canada;

AND WHEREAS it has been agreed that provision should be made for the investment of such money in other securities as hereinafter provided:

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT:

1. Paragraph seven of the Natural Resources Transfer Agreement is amended by adding thereto the following provision:

"The Province will, notwithstanding anything in this Agreement, invest money to which this paragraph applies in securities of Canada, or of a Province, or of a municipal corporation, school district or school unit in the Province of Saskatchewan, or in securities guaranteed by Canada or a Province, to form a school fund, and will apply the interest arising therefrom, after deducting the cost of management, for the support of schools organized and carried on in accordance with the law of the Province."

2. This Agreement is made subject to its being approved by the Parliament of Canada and by the Legislature of the Province of Saskatchewan, and shall take effect on the first day of the calendar month beginning next after its approval as aforesaid, whichever approval, that of the Parliament of Canada or that of the Legislature of the Province, shall be later in date.

IN WITNESS WHEREOF, the Honourable Douglas Charles Abbott, Minister of Finance, has hereunto set his hand on behalf of Canada; and the Honourable Clarence Melvin Fines, Provincial Treasurer, has hereunto set his hand on behalf of the Province of Saskatchewan.

Signed on behalf of the Government
of Canada by the Honourable Douglas
Charles Abbott, Minister of Finance,
in the presence of
(Sgd.) W. C. CLARK.

(Sgd.) D. C. ABBOTT.

Signed on behalf of the Government
of Saskatchewan by the Honourable
Clarence Melvin Fines, Provincial
Treasurer, in the presence of
(Sgd.) THOS. H. McLEOD.

(Sgd.) C. M. FINES.

15 GEORGE VI.

CHAP. 61.

An Act to amend the Supreme Court Act.

[Assented to 30th June, 1951.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

R.S., c. 35;
1928, c. 9;
1929, c. 58;
1930, c. 44;
1937, c. 42;
1939, c. 14;
1949 (2nd
sess.),
c. 37.

1. Section sixty-six of the *Supreme Court Act*, chapter thirty-five of the Revised Statutes of Canada, 1927, is amended by adding thereto the following subsection:

“(4) Notwithstanding anything herein contained a judge of the Supreme Court may, on an application for leave to appeal *in forma pauperis*, allow an appeal by giving the applicant leave to serve notice of appeal although the time prescribed by section sixty-four has expired.”

Appeals
*in forma
pauperis*.

2. Paragraph (aa) of section one hundred and four of the said Act, as enacted by section six of chapter thirty-seven of the statutes of 1949 (second session), is repealed and the following substituted therefor:

Rules and
orders.

“(aa) for allowing appeals *in forma pauperis* by leave, notwithstanding section seventy, and for allowing a respondent leave to defend *in forma pauperis*,”

3. This Act shall be deemed to have come into force on the twenty-third day of December, nineteen hundred and forty-nine.

Coming
into force.

15 GEORGE VI.

CHAP. 62.

An Act respecting Benefits for Members of the Canadian Forces.

[Assented to 30th June, 1951.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. This Act may be cited as *The Veterans Benefit Act*, Short title.
1951.

2. In this Act,

(a) "special force" means the Royal Canadian Navy Special Force, Canadian Army Special Force and the Royal Canadian Air Force Special Force, as constituted from time to time by the Minister of National Defence; and

Definitions.
"special force".

(b) "service in a theatre of operations" means such service as the Governor in Council may designate from time to time. "service in a theatre of operations".

3. (1) The Governor in Council may by regulation provide that all or any of the enactments set out in Part I of the Schedule to this Act shall, in such manner as the Governor in Council may prescribe, apply to

Extension
of veterans'
legislation.

(a) any or all persons who, subsequent to the fifth day of July, nineteen hundred and fifty, were appointed, transferred or posted to, or enlisted, enrolled or serving in the special force, and

(b) the service of any such persons in the special force.

(2) Nothing in any regulation made under subsection one shall prejudice any rights, benefits or privileges that any person had, under any of the enactments set out in Part I of the Schedule to this Act, prior to the coming into force of *The Canadian Forces Act*, 1950.

Existing
rights
preserved.

1950-51, c. 2.

Application
of 1946, c. 63.

4. (1) *The Reinstatement in Civil Employment Act, 1946*, applies to and in respect of every person who was enrolled for the purpose of serving in the special force, and every officer and man of the reserve forces who served on the strength of the special force, as though his service on the strength of the special force were "service in His Majesty's forces" as defined in paragraph (i) of section two of that Act; and for the purposes of the said Act the expressions "discharge" and "termination of service" mean

(a) in the case of a person who was enrolled for the purpose of serving in the special force, termination, whether by way of re-engagement or otherwise, of his service in the Canadian Army under the terms of such special enrolment, and

(b) in the case of an officer or man of the reserve forces who served on the strength of the special force, termination, whether by way of return to reserve status or otherwise, of his service with the regular forces within one year from the date on which he ceased to serve on the strength of the special force.

Idem.

(2) *The Reinstatement in Civil Employment Act, 1946*, applies to and in respect of

(a) every person who since the fifth day of July, nineteen hundred and fifty, was enrolled, or being a member of the special force re-engages, for service with the regular forces and has served with the regular forces for a period not exceeding three years, and

(b) every officer or man of the reserve forces who since the fifth day of July, nineteen hundred and fifty, was called out for service with the regular forces and has served with the regular forces for a period not exceeding three years,

as though his service with the regular forces was "service in His Majesty's forces" as defined in paragraph (i) of section two of that Act; and for the purposes of the said Act, the expressions "discharge" and "termination of service" mean termination of his service with the regular forces.

Application
of R.S., c. 157.

5. (1) Subject to subsection two of this section, the *Pension Act* applies to and in respect of

(a) every person who was enrolled for the purpose of serving in the special force, while serving in the Canadian Army under the terms of such special enrolment, and

(b) every officer and man of the regular forces or reserve forces, while on service in a theatre of operations on the strength of the special force,

as though such service were military service rendered during World War II within the meaning of that Act and as though the service described in paragraph (o) of subsection one of section two of that Act included service in a theatre of operations on the strength of the special force.

(2) Subsection two of section eleven of the *Pension Act* does not apply to or in respect of any death or disability for which a pension is payable by virtue of subsection one of this section.

6. Subsections four and seven of section seven A of the *Civil Service Superannuation Act* apply to and in respect of every person who is enrolled for the purpose of serving in the special force, and every officer and man of the reserve forces serving on the strength of the special force, as though his service on the strength of the special force were service in the forces during World War II within the meaning of that Act.

Application
of section 7A
of R.S., c. 24.

7. (1) Part IV of *The Unemployment Insurance Act, 1940*, applies to members of the special force as prescribed in this section.

Application
of 1940, c. 44.

(2) The expression "veteran" as defined in section ninety-two of the said Act includes "veteran" defined.

(a) every person who was enrolled for the purpose of serving in the special force and whose service with the regular forces has been terminated within one year from the date upon which he ceased to serve on the strength of the special force, and for the purposes of the said Act, such termination, whether by way of re-engagement or otherwise, shall be deemed to be a discharge;

(b) every officer or man in the reserve forces who has served on the strength of the special force and whose service with the regular forces has been terminated within one year from the date upon which he ceased to serve on the strength of the special force, and for the purposes of the said Act such termination, whether by way of return to reserve status or otherwise, shall be deemed to be a discharge; and

(c) every member of the regular forces who has served on the strength of the special force and who has been discharged from the regular forces on medical grounds while on the strength of the special force.

(3) The expression "period of service" as defined in section ninety-two of the said Act, "period of service".

(a) in the case of a veteran described in paragraph (a) of subsection two of this section, means his period of service in the Canadian Army under the terms of such special enrolment;

(b)

(b) in the case of a veteran described in paragraph (b) or (c) of subsection two of this section, means his period of service in a theatre of operations on the strength of the special force,

but does not include any period of absence without leave or leave of absence without pay, or time served while undergoing sentence of penal servitude, imprisonment or detention, or period of service in respect of which pay is forfeited.

Contri-
butions.

(4) Upon discharge of any such veteran, there shall be credited to the Fund out of moneys appropriated by Parliament for the purpose, the amount of the combined contributions of the employer and employed person under the said Act at the combined weekly rate of ninety-six cents for a period equal to the period of service of such veteran up to a maximum period of service of five years, and for the purposes of the said Act such veteran shall be deemed to have been bona fide employed in insurable employment, except for the purposes of section ninety-three of the said Act, during the said period of service and all contributions shall be deemed to have been paid under the said Act in respect of such veteran during the said period of service; but where the period of service of such veteran exceeds ninety-one days and such combined contributions, when added to any contribution made with respect to him prior to such period of service, do not provide entitlement to benefit for at least ninety days, there shall be credited to the Fund for such purpose, contributions in an amount sufficient to provide ninety days' benefit for such veteran on his discharge.

Provisions
not
applicable.

(5) Sections ninety-three, ninety-four, ninety-six and ninety-six A of the said Act do not apply to any of the veterans described in subsection two of this section.

Unemploy-
ment
Insurance Act,
1940, c. 44.

(6) The Governor in Council may by regulation provide that Part IV of *The Unemployment Insurance Act, 1940*, shall, in such manner as the Governor in Council may prescribe, apply to any or all of the persons described in subsection two of section four and their service in the Canadian Forces."

Extension
of other
Acts.

8. (1) The Governor in Council may by regulation provide that all or any of the enactments set out in Parts I and II of the Schedule to this Act shall, in such manner as the Governor in Council may prescribe, apply to

(a) any or all persons who, subsequent to the fifth day of July, nineteen hundred and fifty, were on service in a theatre of operations in the Canadian Forces, and

(b) the service of any such persons in the Canadian Forces.

(2) Nothing in any regulation made under subsection one shall prejudice any rights, benefits or privileges that any person had, under any of the enactments set out in the Schedule to this Act, prior to the coming into force of this Act. Existing rights preserved.

9. This Act shall come into force upon the expiration of section seven of *The Canadian Forces Act, 1950*, and shall expire on the last day of the first session of Parliament in nineteen hundred and fifty-two. Coming into force and expiration.

SCHEDULE.

PART I.

Sections 28, 29 and 30 of the *Civil Service Act*.
The Veterans' Land Act, 1942.
The Veterans Insurance Act.
The War Service Grants Act, 1944.
The Department of Veterans Affairs Act.
The Veterans Rehabilitation Act.
The Veterans' Business and Professional Loans Act.
The War Veterans Allowance Act, 1946.

PART II.

Subsection (2) of section 2, section 5A and subsections (4) and (7) of section 7A of the *Civil Service Superannuation Act*.
The Pension Act.
Part IV of *The Unemployment Insurance Act, 1940*.
The Reinstatement in Civil Employment Act, 1946.

15 GEORGE VI.

CHAP. 63.

An Act to amend The Veterans' Business and Professional Loans Act.

[Assented to 30th June, 1951.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1946, c. 69;
1947, c. 76;
1949 (1st
Sess.), c. 6
1950, c. 50.

1. Paragraph (k) of section two of *The Veterans' Business and Professional Loans Act*, chapter sixty-nine of the statutes of 1946, is repealed and the following substituted therefor:

"(k) "veteran" means a person resident and domiciled in Canada who has received or is entitled to a gratuity under *The War Service Grants Act, 1944*, and who

1944-45, c. 51.

(i) has not elected to take benefits under *The Veterans' Land Act, 1942*, or

1942-43, c. 33

(ii) having so elected, has either received no such benefit or has repaid to The Director, *The Veterans' Land Act*, the amount of any benefit he has received under that Act, as determined under section ten of *The War Service Grants Act, 1944*, in excess of his re-establishment credit".

2. Paragraph (l) of subsection one of section three of the said Act is repealed and the following substituted therefor:

"(l) the loan was made within a period of ten years from the first day of January, nineteen hundred and forty-five, or the date that is the date of his discharge within the meaning of subsection one of section nine of *The War Service Grants Act, 1944*, whichever date is the later;"

3. Subsection one of section nine of the said Act is repealed and the following substituted therefor:

"9. (1) Every person who

(a) makes in an application a statement that is false in any material respect,

False
statements,
conviction
and fines.

(b) uses the proceeds of a guaranteed loan for a purpose other than that stated in his application, or

(c) while indebted to a bank under a guaranteed loan, encumbers or disposes of any property purchased with the proceeds of the loan without the consent in writing of the bank,

is guilty of an offence and is liable on summary conviction or on conviction under indictment to a fine not exceeding five hundred dollars."

OTTAWA: Printed by EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
Law Printer to the King's Most Excellent Majesty.

15 GEORGE VI.

CHAP. 64.

An Act to amend The Veterans Insurance Act.

[Assented to 30th June, 1951.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1944-45, c. 49;
1947-48, c. 72;
1949 (1st.
sess.), c. 6.

1. (1) Subparagraphs (i) and (ii) of paragraph (c) of section two of *The Veterans Insurance Act*, chapter forty-nine of the statutes of 1944-45, are repealed and the following substituted therefor:

Definition of
"child"
amended.

- "(i) a legally adopted child;
- (ii) a stepchild who is designated by the insured as a beneficiary and in such designation is described either by name or as a stepchild; and"

(2) Paragraphs (g) and (h) of section two of the said Act are repealed and the following substituted therefor:

"(g) 'Minister' means the Minister of Veterans Affairs or such other Minister as the Governor in Council may from time to time determine;

"Minister".

(h) 'parent' includes a father, mother, grandfather, grandmother, stepfather, stepmother, foster-father, foster-mother, of either the insured or the spouse of the insured;"

"parent".

(3) Paragraph (j) of section two of the said Act is repealed and the following substituted therefor:

"(j) 'service' means,

"service".

- (i) service in the naval, army or air forces of Canada by any person while in receipt of either active service rates of pay or of Permanent Force rates of pay; or

- (ii) active service in the naval, army or air forces of His Majesty by any person domiciled in Canada at the commencement thereof;"

(4) Paragraph (l) of section two of the said Act is repealed and the following substituted therefor:

"war".

"(l) 'war' means the war that commenced in September, one thousand nine hundred and thirty-nine, and which, for the purposes of this Act, shall be deemed to have terminated on the thirtieth day of September, one thousand nine hundred and forty-seven."

2. Subsection one of section three of the said Act, as amended by section one of chapter seventy-two of the statutes of 1947-48, and subsection two of section three of the said Act are repealed and the following substituted therefor:

Eligible persons and amount of contract.

"3. (1) The Minister may, without requiring medical examination or other evidence of insurability, enter into a contract of insurance that provides for the payment in the event of the death of the insured of five hundred dollars or any multiple thereof not exceeding ten thousand dollars,

(a) with a veteran, at any time on or before the thirty-first day of December, one thousand nine hundred and fifty-four or within ten years after the date of his discharge from service, whichever is the later; or

(b) with any of the following persons, at any time on or before the thirty-first day of December, one thousand nine hundred and fifty-four,

(i) the widow or widower of a veteran, if the Minister has not entered into a contract of insurance with the veteran,

(ii) the widow or widower of a person who died on service during the war,

(iii) a person who is an officer or man in any of the components of the Canadian Forces that are referred to in *The National Defence Act* as the regular forces, who has not been released from such forces and who was engaged in service during the war,

(iv) a merchant seaman who received or was eligible to receive a bonus pursuant to The Merchant Seamen Special Bonus Order, or a seaman who received or was eligible to receive a War Service Bonus pursuant to The Merchant Seamen War Service Bonus Order, 1944, and

(v) any other person who is, under the *Pension Act*, in receipt of a disability pension relating to the war.

1950, c.43

Limitation where person also insured under *The Returned Soldiers' Insurance Act*.

(1a) Where a contract of insurance is entered into under this Act with a person whose life is insured under *The Returned Soldiers' Insurance Act*, the amount of insurance under such contract shall be limited so that the aggregate amount of insurance in force on his life under

The Returned Soldiers' Insurance Act and this Act does not exceed ten thousand dollars. 1920, c.54

(2) Payment under a contract of insurance shall be made on the death of the insured in an amount not exceeding two thousand dollars and the remainder, if any, or the portion thereof to which any beneficiary is entitled, shall, at the option of the insured, be payable as How payable.

(a) an annuity certain for five, ten, fifteen or twenty years;

(b) a life annuity; or

(c) an annuity guaranteed for five, ten, fifteen or twenty years and payable thereafter as long as the beneficiary may live."

3. Section five of the said Act is amended by adding thereto the following subsection:

"(2) The insured shall, for the purposes of this section, be deemed to be totally and permanently disabled where his total disability has existed continuously for a period of at least one year." Where deemed to be totally and permanently disabled.

4. (1) Subsection two of section six of the said Act is repealed and the following substituted therefor:

"(2) Where the insured is unmarried, or is a widow or a widower or divorced, and without children, the beneficiary shall be the future spouse or future children of the insured, or some one or more of such persons" Future spouse and children as beneficiaries.

(2) Subsection five of section six of the said Act is repealed and the following substituted therefor:

"(5) Where the insured does not designate a beneficiary, or where all of the beneficiaries designated by him die within his lifetime, the insurance money shall be paid to the spouse and the children of the insured in equal shares, and if the insured survives the spouse and all the children of the insured and there is no contingent beneficiary within the meaning of section seven surviving the insured, the insurance money shall be paid, as it falls due or otherwise as the Minister may determine, to the estate of the insured." Where no designated beneficiary.

5. Subsection two of section seven of the said Act is repealed and the following substituted therefor:

"(2) Where the insured survives the spouse and all the children of the insured, the insurance money shall be paid to the contingent beneficiary or beneficiaries, if any, but in default of the designation of a contingent beneficiary, or in the event of the death of all the contingent beneficiaries within the lifetime of the insured, the insurance money shall be paid, as it falls due or otherwise as the Minister may determine, to the estate of the insured." Payment to contingent beneficiaries or to estate.

6. Section fifteen of the said Act is repealed and the following substituted therefor:

Death of
applicant
before
completion
of contract.

"**15.** Where an application for insurance is made and the applicant dies before the contract of insurance is entered into, the contract shall be deemed to have been entered into if the initial premium is paid and the application is one that would have been approved if the applicant had not died.

Payment to
estate of
deceased
beneficiary.

"**15A.** Where a beneficiary or contingent beneficiary survives the insured but dies before receiving all of the insurance money to which under the contract of insurance such beneficiary or contingent beneficiary is entitled, the remaining unpaid money shall be paid, as it falls due or otherwise as the Minister may determine, to the estate of the deceased beneficiary or deceased contingent beneficiary.

Insured or
beneficiary
may be
Member of
Parliament.

R.S., c. 147.

"**15B.** Notwithstanding the *Senate and House of Commons Act*, or any other law, no person, by reason only of his entering into a contract of insurance or receiving a benefit under this Act, is liable to any forfeiture or penalty imposed by the *Senate and House of Commons Act* or disqualified as a member of the House of Commons or incapable of being elected to, or of sitting or voting in the House of Commons."

OTTAWA: Printed by EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
Law Printer to the King's Most Excellent Majesty.

15 GEORGE VI.

CHAP. 65.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1952.

[Assented to 30th June, 1951.]

MOST GRACIOUS SOVEREIGN,

WHEREAS it appears by messages from His Excellency, Preamble.
Field Marshal The Right Honourable Viscount Alexander of Tunis, etc., etc., Governor General of Canada, and the estimates accompanying the said messages, that the sums hereinafter mentioned are required to defray certain expenses of the public service of Canada, not otherwise provided for, for the financial year ending the thirty-first day of March, one thousand nine hundred and fifty-two, and for other purposes connected with the public service: May it therefore please Your Majesty that it may be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:—

1. This Act may be cited as *The Appropriation Act*, Short title.
No. 4, 1951.

2. From and out of the Consolidated Revenue Fund \$1,852,975,067
there may be paid and applied a sum not exceeding in the Main
whole one billion, eight hundred and fifty-two million, Estimates
nine hundred and seventy-five thousand and sixty-seven granted for
dollars towards defraying the several charges and expenses 1951-52.
of the public service, from the first day of April, one thousand nine hundred and fifty-one, to the thirty-first day of March, one thousand nine hundred and fifty-two, not otherwise provided for, and being the amount of each of the items voted, set forth in Schedule A to this Act, less the amounts voted on account of the said items by *The Appropriation Act, No. 1, 1951*, and *The Appropriation Act, No. 3, 1951*.

\$195,172,180
Further
Supple-
mentary
Estimates
granted for
1951-1952.

3. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole one hundred and ninety-five million, one hundred and seventy-two thousand, one hundred and eighty dollars towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and fifty-one, to the thirty-first day of March, one thousand nine hundred and fifty-two, not otherwise provided for, and being the amount of each of the several items voted, set forth in Schedule B to this Act.

Power to
raise loan of
\$500,000,000
for public
works and
general
purposes
and to pay
and redeem
treasury bills
and deposit
certificates.

1931, c. 27.

4. (1) The Governor in Council may, in addition to the sums now remaining unborrowed and negotiable of the loans authorized by Parliament, by any Act heretofore passed, raise by way of loan, under the provisions of *The Consolidated Revenue and Audit Act, 1931*, by the issue and sale or pledge of securities of Canada, in such form, for such separate sums, at such rate of interest and upon such other terms and conditions as the Governor in Council may approve, such sum or sums of money, not to exceed in the whole the sum of five hundred million dollars, as may be required for public works and general purposes, and in addition such sum or sums of money as may be required to pay and redeem treasury bills and Dominion of Canada deposit certificates maturing from time to time.

Chargeable to
Consolidated
Revenue
Fund.

Lapse of
prior
borrowing
powers.

(2) The principal raised by way of loan under this Act and the interest thereon shall be a charge upon and payable out of the Consolidated Revenue Fund.

(3) All borrowing powers authorized by section five of chapter fifty-five of the statutes of 1950 which are outstanding and unused shall expire on the date of the coming into force of this Act.

Account to
be rendered
in detail.

5. A detailed account of the sums expended under the authority of this Act shall be laid before the House of Commons of Canada during the first fifteen days of the then next session of Parliament.

SCHEDULE A.

Based on the Main Estimates, 1951-52. The amount hereby granted is \$1,852,975,067, being the amount of each of the items in the Estimates as contained in this Schedule, less the amounts voted on account of the said items by *The Appropriation Act, No. 1, 1951*, and *The Appropriation Act, No. 3, 1951*.

SUMS granted to His Majesty, by this Act for the financial year ending 31st March, 1952, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		\$	\$
	AGRICULTURE		
	ADMINISTRATION SERVICE		
1	Departmental Administration.....	336,942	
2	Information Service.....	347,412	
3	Advisory Committee on Agricultural Services.....	5,000	
4	Contributions to Commonwealth Bureaux.....	56,821	
	SCIENCE SERVICE		
	Science Service Administration—		
5	Operation and Maintenance.....	276,159	
6	Construction or Acquisition of Buildings, Works, Land and New Equipment.....	713,545	
	Animal and Poultry Pathology—		
7	Operation and Maintenance.....	398,585	
8	Construction or Acquisition of Buildings, Works, Land and New Equipment.....	37,115	
9	Bacteriology and Dairy Research.....	155,457	
	Botany and Plant Pathology—		
10	Operation and Maintenance.....	1,345,552	
11	Construction or Acquisition of Buildings, Works, Land and New Equipment.....	178,600	
	Agricultural Chemistry—		
12	Operation and Maintenance.....	503,410	
13	Construction or Acquisition of Buildings, Works, Land and New Equipment.....	58,800	
	Agricultural Entomology—		
14	Operation and Maintenance.....	1,663,234	
15	Construction or Acquisition of Buildings, Works, Land and New Equipment.....	182,979	
	Forest Entomology—		
16	Operation and Maintenance.....	1,153,447	
17	Construction or Acquisition of Buildings, Works, Land and New Equipment.....	232,830	
	Plant Protection—		
18	Operation and Maintenance.....	724,119	
19	Construction or Acquisition of Buildings, Works, Land and New Equipment.....	54,400	
	EXPERIMENTAL FARMS SERVICE		
20	Experimental Farms Service Administration.....	162,185	
	Central Experimental Farm—		
21	Operation and Maintenance.....	1,686,674	
22	Construction or Acquisition of Buildings, Works, Land and New Equipment.....	249,319	

SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
		\$	\$
	AGRICULTURE—Continued		
	EXPERIMENTAL FARMS SERVICE—Concluded		
	Branch Farms and Stations and Illustration Stations—		
23	Operation and Maintenance.....	4,682,078	
24	Construction or Acquisition of Buildings, Works, Land and New Equipment.....	1,195,625	
	PRODUCTION SERVICE		
25	Production Service Administration.....	58,154	
	Health of Animals—		
26	Administration of Animal Contagious Diseases Act, and Meat and Canned Foods Act.....	4,346,187	
27	Compensation for Animals Slaughtered.....	929,434	
28	Live Stock and Poultry.....	1,443,208	
29	Plant Products—		
	Seeds, Feeds, Fertilizers, Insecticides and Fungicides Control, including grant of \$40,000 to Canadian Seed Growers' Association.....	1,282,268	
30	Grants to Fairs and Exhibitions, under such terms and conditions as may be approved by the Governor in Council and subject to allocation by the Treasury Board.....	614,400	
31	Grants to Agricultural Organizations, as detailed in the Estimates.....	52,500	
	MARKETING SERVICE		
32	Marketing Service Administration.....	174,270	
33	Agricultural Economics.....	510,433	
34	Dairy Products.....	716,839	
35	Subsidies for Cold Storage Warehouses under the Cold Storage Act, and Grants, in the amounts detailed in the Estimates..	535,707	
36	Fruit, Vegetables and Maple Products, and Honey, including Grant of \$5,000 to the Canadian Horticultural Council.....	1,082,525	
37	Live Stock and Live Stock Products.....	1,283,653	
38	Marketing of Agricultural Products, including temporary appointments that may be required to be made notwithstanding anything contained in the Civil Service Act, the amount available for such appointments not to exceed \$6,000..	100,000	
	TERMINABLE SERVICES		
39	Freight Assistance on Western Feed Grains.....	4,500,000	
40	Agricultural Lime Assistance.....	435,000	
41	To provide for Quality Premiums on High Grade Hog Carcasses and Administration Costs.....	5,536,000	
	SPECIAL		
42	To provide for assistance to encourage the improvement of cheese and cheese factories.....	1,100,000	
43	To provide assistance for the replacement of maple production equipment.....	500,000	
44	For assistance in construction of potato warehouses under regulations to be approved by the Governor in Council.....	50,000	
45	Prairie Farm Rehabilitation Act and Water Storage.....	3,000,000	
46	Major Irrigation and Water Conservation Projects in the Prairie Provinces.....	6,406,985	
47	Prairie Farm Assistance Act Administration.....	516,344	
48	Land Protection, Reclamation and Development in British Columbia under such terms and conditions as may be approved by the Governor in Council.....	404,592	

SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
		\$	\$
	AGRICULTURE—Concluded		
	SPECIAL—Concluded		
49	Land Protection and Reclamation; Clearing and Settlement of New Lands under such terms and conditions as may be approved by the Governor in Council.....	250,000	
50	Maritime Marshland Rehabilitation Act.....	800,000	
51	To provide for Administrative Expenses, Agricultural Prices Support Act, 1944.....	91,051	
			53,119,838
	AUDITOR GENERAL'S OFFICE		
52	Salaries and Expenses of Office.....		612,836
	CANADIAN BROADCASTING CORPORATION		
	INTERNATIONAL SHORTWAVE BROADCASTING STATION		
53	Maintenance and Operation including authority to credit to the Appropriation revenue from rental of facilities in Radio Canada Building to an amount of \$100,000 and to re-expend it for the purposes of the International Service.....	1,709,675	
54	Construction or Acquisition of Buildings, Works, Land and New Equipment, including Supervision.....	218,925	
			1,928,600
	OFFICE OF THE CHIEF ELECTORAL OFFICER		
55	Salaries and Expenses of Office.....		43,004
	CITIZENSHIP AND IMMIGRATION		
56	Departmental Administration.....	208,564	
	CITIZENSHIP		
57	Citizenship Registration Branch.....	202,811	
58	Citizenship Branch.....	274,388	
	IMMIGRATION BRANCH		
59	Administration of the Immigration Act.....	799,197	
60	Field and Inspectional Service, Canada—Operation and Maintenance.....	4,351,609	
61	Field and Inspectional Service, Abroad—Operation and Maintenance.....	958,988	
62	To provide for payments to Trans-Canada Airlines of the difference in cost between air transportation and minimum tourist class ocean transportation for immigrants transported from the United Kingdom by Trans-Canada Airlines during the months of April and May, 1951.....	231,125	

SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
		\$	\$
	CITIZENSHIP AND IMMIGRATION— <i>Concluded</i>		
	INDIAN AFFAIRS BRANCH		
63	Branch Administration.....	297,619	
	Indian Agencies—		
64	Operation and Maintenance.....	1,959,846	
65	Construction or Acquisition of Buildings, Works, Land and New Equipment.....	559,034	
	Reserves and Trusts—		
66	Operation and Maintenance.....	110,513	
67	Acquisition of Land.....	16,000	
	Welfare of Indians—		
68	Operation and Maintenance.....	3,323,954	
69	Construction or Acquisition of Buildings, Works, Land and New Equipment.....	911,570	
70	Grants to Agricultural Exhibitions and Indian Fairs.....	7,350	
	Education—Day and Residential Schools—		
71	Operation and Maintenance.....	4,917,224	
72	Construction or Acquisition of Buildings, Works, Land and New Equipment.....	2,737,075	
73	Grant to provide additional services to Indians of British Columbia.....	100,000	
74	Fur Conservation—Operation and Maintenance.....	313,063	
			22,279,930
	CIVIL SERVICE COMMISSION		
75	Salaries and Contingencies of the Commission, including the Chairman of the Civil Service Commission and two Civil Service Commissioners at \$2,000 each, additional to Chapter 53, Statutes of 1947, and to provide for continuance in office of C. H. Bland as Chairman of the Civil Service Com- mission from September 6, 1951, to March 31, 1953, the date of expiry of the term of ten years for which he was last appointed.....		1,664,586
	DEFENCE PRODUCTION		
	DEPARTMENT		
76	Departmental Administration and payments to Canadian Commercial Corporation and other corporate agencies for services provided in connection with defence purchasing and production.....	5,000,000	
77	To provide capital assistance for the construction, acquisition, extension or improvement of capital equipment or works by private contractors engaged in defence contracts, or by Crown Plants operated on a management-fee basis, or by Crown Companies under direction of the Minister of Defence Production, subject to approval of Treasury Board.....	50,000,000	
78	To provide for research and development of Jet Engines and Aircraft.....	1,000,000	
79	To provide for the liquidation of contracts, including commit- ments of previous years related to the acquisition of assets operated by the Departments of Munitions and Supply and Reconstruction and Supply or an agency of these Depart- ments; the liquidation of the assets and liabilities of closed Crown Companies and Crown Plants; and for miscellaneous and unforeseen expenses.....	200,000	
30	To authorize the transfer of funds from the Canadian Com- mercial Corporation Employees' Retirement Fund to the Retirement Fund created by the Civil Service Superannu- ation and Retirement Act, in respect of past contributions and accumulated interest thereon of employees transferred from the Corporation to the Department.....		1

SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
		\$	\$
	DEFENCE PRODUCTION— <i>Concluded</i>		
	CROWN COMPANIES		
81	To provide for expenses incurred by Defence Construction Limited in procuring the construction of defence projects on behalf of the Department of National Defence.....	3,000,000	
	Canadian Arsenals Limited—		
82	Administration and Operation.....	3,300,000	
83	Construction, Improvements and New Equipment.....	1,700,000	64,200,001
	EXTERNAL AFFAIRS		
	A—DEPARTMENT AND MISSIONS ABROAD		
84	Departmental Administration.....	2,272,597	
85	Passport Office Administration.....	194,568	
86	Representation Abroad—Operational—including payment of salaries of High Commissioners, Ambassadors, Ministers Plenipotentiary, Consuls, Secretaries and staff appointed as directed by the Governor General in Council, notwithstanding anything to the contrary in the Civil Service Act or any of its amendments.....	4,492,816	
87	Representation Abroad—Construction, acquisition or improvement of Buildings, works, land, new equipment and furnishings.....	228,940	
88	Representation Abroad—To authorize the construction, acquisition, improvement and furnishing of properties for Canadian Government offices and residences abroad, payment therefor to be made in foreign currencies that are not convertible into Canadian or United States dollars and that may be used only for governmental or other limited purposes and that have been acquired in respect of reparations or pursuant to the settlement of claims arising out of military operations or war expenditures, or in exchange for other such currencies so acquired.....	1,042,500	
89	To provide for official hospitality.....	20,000	
90	To provide for relief of distressed Canadian citizens abroad and for the reimbursement of the United Kingdom for relief expenditures incurred by its Diplomatic and Consular Posts on Canadian account (part recoverable).....	15,000	
91	Canadian Representation at International Conferences.....	225,000	
92	Canadian Section of Canada-United States Permanent Joint Board on Defence including \$7,500 for the Chairman, notwithstanding anything contained in the Civil Service Act..	10,000	
93	Grant to the United Nations Association in Canada.....	10,000	
94	Grant to the Canadian Red Cross Society (for international activities of the Red Cross.).....	25,000	
	B—GENERAL		
	THE CANADIAN GOVERNMENT'S ASSESSMENT FOR MEMBERSHIP IN THE FOLLOWING INTERNATIONAL OR COMMONWEALTH ORGANIZATIONS		
95	United Nations Organization.....	1,466,100	
	Specialized Agencies—		
96	Food and Agriculture Organization of the United Nations	109,000	
97	International Labour Organization.....	256,300	
98	United Nations Educational, Scientific and Cultural Organization.....	327,800	
99	International Civil Aviation Organization.....	114,630	
100	World Health Organization.....	231,200	
101	Commonwealth Economic Committee.....	16,830	
102	Commonwealth Shipping Committee.....	510	
103	Inter-Allied Reparations Agency.....	7,000	
104	Inter-American Committee on Social Security.....	4,700	
105	The Canadian Government's contribution to the Administration of the General Agreement on Tariffs and Trade.....	14,300	

SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
		\$	\$
	EXTERNAL AFFAIRS— <i>Concluded</i>		
	B—GENERAL— <i>Concluded</i>		
	INTERNATIONAL CIVIL AVIATION ORGANIZATION		
106	To provide the International Civil Aviation Organization with office accommodation at cost.....	66,604	
	INTERNATIONAL JOINT COMMISSION		
107	To provide for preliminary studies and surveys of the Mid-Western Watershed.....	10,000	
108	To provide for Canada's share of an investigation on the matter of air pollution in the vicinity of Detroit and Windsor.....	40,000	
109	To provide for Canada's share of the expenses in connection with the St. John River Reference.....	50,000	
110	To provide for Canada's share of the expenses of the Niagara Falls Reference.....	50,000	
	TERMINABLE SERVICES		
111	Commonwealth Consultative Committee on South and South East Asia (for Technical Assistance).....	400,000	
	FINANCE		11,701,395
	GENERAL ADMINISTRATION		
112	Departmental Administration.....	1,505,769	
113	Comptroller of the Treasury— Central Office and Branch Offices Administration, and to authorize payment to Norman Bell of compensation at a rate equivalent to £4-10-0 per week in respect of injuries received while employed in the Overseas Office of the Comptroller of the Treasury.....	12,084,941	
	ADMINISTRATION OF VARIOUS ACTS AND COSTS OF SPECIAL FUNCTIONS		
114	Superannuation and Retirement Acts, Administration.....	176,603	
115	The Bank Act—Salaries and expenses of the Inspector General of Banks' Office.....	27,968	
116	Administration of The Farmers' Creditors Arrangement Act, 1943, and The Municipal Improvements Assistance Act, 1938	19,582	
117	Administration of The Farm Improvement Loans Act, 1944, and The Veterans' Business and Professional Loans Act, 1946	66,011	
118	Foreign Exchange Control Act, 1946—Administrative costs (other than those provided by the Bank of Canada).....	140,000	
119	Expenses of the Tariff Board.....	112,023	
120	Expenses of the Royal Canadian Mint and the Assay Office, Vancouver, B.C., and to authorize commitments against future years in the amount of \$200,000.....	929,245	
	The Wartime Prices and Trade Board—		
121	Administration.....	186,750	
122	Commodity Prices Stabilization Corporation—Adjustment payments in respect of subsidies previously paid, and costs of administration.....	75,000	
123	Administration of Employees' Instalment Purchase Plan, including sale and delivery of Canada Savings Bonds to Government employees, and of employees' group insurance plans.....	99,082	
124	Administration of the Consumer Credit (Temporary Provisions) Act.....	80,500	

SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
		\$	\$
	FINANCE—Concluded		
	PUBLIC DEBT CHARGES		
	Servicing of Public Debt—		
125	Commission for payment of interest on public debt, Services of Fiscal Agents, London, Registrar's Fees, etc.	339,700	
126	To provide, subject to the approval of the Treasury Board, and as detailed in the Estimates, for losses incurred in the issue and redemption of Canada Savings Bonds, and for miscellaneous losses arising from the sale or distribution of War Savings Certificates, War Savings Stamps, Victory Bonds or Canada Savings Bonds....	8,000	
	PAYMENTS TO MUNICIPALITIES		
127	Grants to Municipalities in lieu of taxes on Federal Property— To provide for administration of the programme respecting grants to Municipalities in lieu of taxes on Crown property outlined in the House of Commons, on November 14, 1949, including grants and other payments to be made in accordance with regulations of the Governor in Council.....	1,845,000	
	CONTINGENCIES AND MISCELLANEOUS		
128	To provide, subject to the approval of the Treasury Board, for miscellaneous minor and unforeseen expenses, including recoverable advances for working capital purposes, and for the re-use of any sums repaid to this appropriation from other appropriations.....	1,000,000	
129	Cost of Telephone Service at Ottawa for all Departments.....	605,000	
	GENERAL ITEMS OF PAYROLL COSTS INCLUDING SUPERANNUATION PAYMENTS		
130	To provide for a Government contribution to the Superannuation Fund in an amount equal to the estimated current payments of individual contributors in the previous fiscal year.....	7,966,800	
131	To provide, subject to the approval of the Treasury Board, for supplementing other votes for the payment of salaries, wages and other payroll charges.....	1,500,000	
132	To provide for the Government's contribution, as an Employer, to the Unemployment Insurance Fund in respect of Government Employees paid through the Central Pay Office.....	1,150,000	
	MISCELLANEOUS GRANTS		
	Grants to Sundry Organizations—		
133	Canadian General Council of the Boy Scouts.....	15,000	
134	Canadian Council of the Girl Guides Association.....	9,000	
135	Royal Astronomical Society of Canada.....	2,000	
136	Royal Canadian Academy of Arts.....	2,025	
137	Canadian Writers Foundation.....	4,000	
138	Canadian Olympic Association.....	20,000	
139	Boys' Clubs of Canada.....	12,500	
			29,932,499

SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
		\$	\$
	FISHERIES		
	GENERAL SERVICES		
140	Departmental Administration.....	281,298	
141	Information and Educational Service.....	138,572	
142	Marketing and Economic Service.....	170,788	
143	Administrative Expenses of the Newfoundland Fisheries Board.....	35,366	
144	Industrial Development Service.....	25,000	
145	To provide for transportation, dressing and dyeing and other expenses incidental to receiving and disposing of fur seal skins accruing to Canada pursuant to Provisional Fur Seal Agreement between Canada and the United States by exchange of Notes dated December 26th, 1947.....	500,000	
	FIELD SERVICES		
146	Field Services Administration.....	362,398	
	Protection Branch—		
147	Operation and Maintenance.....	2,435,661	
148	Construction or Acquisition of Buildings, Works, Land and New Equipment.....	154,583	
	Inspection Branch—		
149	Operation and Maintenance.....	878,451	
150	Construction or Acquisition of Buildings, Works, Land and New Equipment.....	114,475	
	Fish Culture and Development Branch—		
151	Operation and Maintenance.....	693,844	
152	Construction or Acquisition of Buildings, Works, Land and New Equipment.....	162,065	
153	Consumer Branch.....	55,490	
154	To provide for the destruction of Harbour and Gray seals.....	30,000	
	FISHERIES RESEARCH BOARD		
155	Headquarters Administration.....	89,814	
	Fisheries Research Board—		
156	Operation and Maintenance.....	1,494,498	
157	Construction or Acquisition of Buildings, Works, Land and New Equipment.....	222,560	
	INTERNATIONAL COMMISSIONS		
158	To provide for Canadian share of expenses of the International Fisheries Commission appointed under Treaty dated January 29, 1937, between Canada and the United States for the preservation of the North Pacific Halibut Fisheries..	50,000	
159	To provide for Canadian share of expenses of the International Pacific Salmon Fisheries Commission appointed under Treaty dated May 26, 1930, between Canada and the United States for the protection, preservation and extension of the Sockeye Salmon Fisheries of the Fraser River System.....	166,350	
160	To provide for Canadian share of expenses of the International Pacific Salmon Fisheries Commission to overcome obstructions to the ascent of sockeye salmon at Hell's Gate Canyon and for investigating and overcoming obstructions to such salmon at other points on the Fraser River Watershed (Revote).....	32,000	
161	To provide for Canadian share of expenses of the International Whaling Commission, appointed pursuant to the International Convention for the Regulation of Whaling, dated at Washington, December 2, 1946.....	3,000	

SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
		\$	\$
	FISHERIES—Concluded		
	INTERNATIONAL COMMISSIONS—Concluded		
162	To provide for Canadian share of expenses of the International Commission for the Northwest Atlantic Fisheries appointed pursuant to International Conventions for the investigation, protection and conservation of the fisheries of the Northwest Atlantic Ocean, dated at Washington, February 8th, 1949.....	2,500	
	SPECIAL		
163	To provide for operation and maintenance of Newfoundland Bait Service.....	392,444	
164	To provide for the extension of educational work in co-operative producing and selling among fishermen.....	80,000	
165	To provide for administration expenses of the Fisheries Prices Support Act, 1944.....	81,042	
166	To provide for assistance in the construction of vessels of the dragger and/or long liner type, subject to such terms and conditions as may be approved by the Governor in Council..	100,000	
167	To provide for assistance in the construction of bait freezing and storage facilities subject to the approval of the Governor in Council.....	30,000	8,782,199
	GOVERNOR GENERAL AND LIEUTENANT- GOVERNORS		
168	Office of the Secretary to the Governor General, including the salary of the Secretary to the Governor General at \$7,600 additional to salary authorized by Chap. 182, R.S.C., 1927.....		114,597
	INSURANCE		
169	Departmental Administration.....	377,445	
170	Expenses of work in the interests of Fire Prevention.....	38,928	416,373
	JUSTICE		
	A—DEPARTMENT		
171	Departmental Administration.....	278,399	
172	Remission Service, including remuneration to members of the Royal Canadian Mounted Police, other Police Forces and members of Social Welfare organizations (to be expended under Order in Council, and not to exceed \$5,400) for assistance to this Service, and an amount of \$18,422 to reimburse the Royal Canadian Mounted Police Force the amounts disbursed by them in ordinary pay and allowances to their men on loan to this Service.....	119,331	
173	Administration of Justice— Miscellaneous Expenditure, including expenses of litigated matters.....	25,000	
174	Supreme Court of Canada— Administration.....	143,199	
175	Exchequer Court of Canada— Administration.....	81,694	
176	Yukon Territorial Court— Administration.....	12,050	

SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
		\$	\$
	JUSTICE—Concluded		
	A—DEPARTMENT—Concluded		
177	Payments of gratuities to the widows or other dependents of judges who die while in office.....	15,000	
178	Combines Investigation Branch.....	248,060	
179	Bankruptcy Act Administration.....	38,678	
	General		
180	To provide for the Revision, Classification and Consolidation of the Public General Statutes of Canada.....	57,500	
181	To provide for the Revision of the Criminal Code.....	32,725	
	B—PENITENTIARIES		
	OFFICE OF THE COMMISSIONER OF PENITENTIARIES		
182	Administration of the Office of the Commissioner of Penitentiaries, including \$35,000 for Grants to Recognized Prisoners' Aid Societies, as may be approved by the Governor in Council.....	306,014	
183	Operation and maintenance of penitentiaries, including supplies and services relating thereto: administration, operation, repair and upkeep of buildings, works and equipment; maintenance, discharge and transfer of convicts; compensation to discharged convicts permanently disabled while in penitentiaries.....	7,433,900	
184	Construction, Improvements and New Equipment, including provision for the establishment and construction of a new institution in the Province of Quebec for the confinement and reformation of Federal prisoners and to authorize commitments against future years in the amount of \$200,000....	1,332,411	
			10,123,961
	LABOUR		
	A—DEPARTMENT		
	GENERAL ADMINISTRATION		
185	Departmental Administration.....	558,897	
186	To provide for expenses of the Economics and Research Branch.....	460,711	
187	Annuities Act Administration.....	808,684	
188	Fair Wages, Conciliation, Industrial Relations, Industrial Disputes Investigations, including the administration of legislation relating thereto, and for activities re promotion of co-operation in industry between Labour and Management.....	348,542	
189	Canada Labour Relations Board.....	8,000	
190	International Labour Conferences.....	61,118	
191	Labour Gazette, authorized by Labour Department Act.....	120,948	
192	To provide for the effective organization and use of agricultural manpower, including recruiting, transporting and placing workers on farms and related industries and assistance to the Provinces pursuant to agreements that may be entered into by the Minister of Labour with the Provinces and approved by the Governor in Council.....	255,000	

SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
		\$	\$
	LABOUR—Continued		
	A—DEPARTMENT—Concluded		
	VOCATIONAL TRAINING CO-ORDINATION ACT, 1942		
193	Administration.....	30,431	
	Expenditures for vocational training under the Vocational Training Co-ordination Act, 1942, and agreements between the Dominion and Provinces approved by the Governor in Council, including vocational school assistance, projects for training of persons to fit them for gainful employment, or for defence industries, youth training, apprenticeship training, vocational training at secondary school level, foremanship and supervisory training and for training of members of His Majesty's Forces and other persons to fit them for skilled Armed Service occupations and to authorize the Minister of Labour to enter into an agreement with any Province on terms approved by the Governor in Council for such expenditures, as well as to provide for undischarged commitments of previous years—		
194	Training Payments to the Provinces.....	3,332,000	
195	Payments to the Provinces for Capital Expenditures for vocational schools, buildings and equipment.....	1,250,000	
	GOVERNMENT EMPLOYEES COMPENSATION		
196	Administration of the Government Employees Compensation Act.....	59,716	
	TERMINABLE SERVICES		
197	To provide for expenses including authority to establish Advisory Committees on industrial matters and manpower co-ordination to act in an advisory capacity to the Minister of Labour.....	27,848	
198	Vocational Training for discharged members of Canada's Armed Forces, including undischarged commitments of previous years.....	10,000	
199	To provide for payment to the National Film Board for educational films for exhibition.....	24,000	
200	To provide for expenses that may be incurred in the arranging for and the movement of workers from outside Canada to work on farms and other essential industry in Canada when Canadian labour is not available to meet the need; including costs connected with the supervision and welfare of persons already immigrated to Canada under former authorized labour movements and administrative expenses connected therewith.....	667,956	
	B—UNEMPLOYMENT INSURANCE ACT, 1940		
201	Administration, including expenditures incurred in connection with the activities of the National Employment Service as delegated by the Minister of Labour in accordance with Section 88 of the Act.....	23,847,199	
202	Government's contribution to the Unemployment Insurance Fund.....	27,500,000	
203	To provide for the transfer of labour to and from places where employment is available in agriculture and industry and expenses incidental thereto, in accordance with regulations of the Governor in Council.....	200,000	

SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
		\$	\$
	LABOUR—Concluded		
	B—UNEMPLOYMENT INSURANCE ACT, 1940—Concluded		
204	To provide for the payment of unemployment assistance to certain residents of Newfoundland to give effect to the Terms of Union of Newfoundland with Canada, in accordance with regulations of the Governor in Council and such assistance shall be deemed to be a benefit or payment within the meaning of Sections 33 and 67 of the Unemployment Insurance Act, 1940.....	500,000	60,070,550
	LEGISLATION		
	THE SENATE		
205	The Speaker of the Senate—		
	Allowance in lieu of Residence.....	3,000	
206	General Administration.....	362,185	
	HOUSE OF COMMONS		
207	The Speaker of the House of Commons—		
	Allowance in lieu of Residence.....	3,000	
	Deputy Speaker of the House of Commons—		
208	Allowance in lieu of Apartments.....	1,500	
209	General Administration—Estimates of the Clerk.....	967,046	
210	Estimates of the Sergeant-at-Arms.....	548,824	
211	Subscriptions to Publications of the Commonwealth Parliamentary Association to be distributed to Members of the House of Commons, and to provide for the Canadian share of expenses of the Commonwealth Parliamentary Association.....	10,000	
212	To provide hereby, notwithstanding anything contained in the Consolidated Revenue and Audit Act or the provisions of the Senate and House of Commons Act respecting the Independence of Parliament, for the payment out of the Consolidated Revenue Fund to each Member of the House of Commons appointed by the Governor in Council to be a Parliamentary Assistant (which appointment shall not render such Member ineligible or disqualify him as a Member of the House of Commons) to assist a Minister of the Crown in such manner and to such extent as the Minister may determine and to represent his Department in the House of Commons in the absence of the Minister therefrom, a salary of four thousand dollars per annum and pro rata for any period less than a year.....	56,000	
213	To provide for an allowance to the Deputy Chairman of Committees.....	2,000	
	GENERAL		
214	Printing of Parliament, including salaries of staff of the Joint Distribution Office.....	269,026	
	LIBRARY OF PARLIAMENT		
215	General Administration.....	147,411	

SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
		\$	\$
	LEGISLATION—Concluded		
	PENSIONS AND OTHER BENEFITS		
216	Pension to the unmarried sister of the late Colonel Harry Baker, M.P.....	700	2,370,692
	MINES AND TECHNICAL SURVEYS		
	A—DEPARTMENT		
	ADMINISTRATION SERVICES		
217	Departmental Administration.....	398,452	
	EXPLOSIVES ACT ADMINISTRATION		
218	Explosives Act— Administration, Operation and Maintenance.....	88,164	
	MINES BRANCH		
219	Mines Branch Administration.....	70,093	
	Mineral Resources Investigations—		
220	Administration, Operation and Maintenance.....	1,622,676	
221	Construction or Acquisition of New Equipment.....	296,000	
	Investigations of Radioactive Ores—		
222	Administration, Operation and Maintenance.....	240,760	
223	Construction or Acquisition of New Equipment.....	56,900	
224	To provide for payments to McGill University in connection with the development of a Coal-Fired Gas Turbine.....	75,000	
	GEOLOGICAL SURVEY OF CANADA		
225	Geological Survey Administration and miscellaneous services, including the expenses of the National Advisory Committee on Research in the Geological Sciences.....	156,527	
	Geological Surveys, including an amount of \$2,400 for Canada's share of the cost of the Committee on Mineral Resources and Geology, London, England—		
226	Administration, Operation and Maintenance.....	1,414,173	
227	Construction or Acquisition of New Equipment.....	154,500	
	SURVEYS AND MAPPING BRANCH		
228	Surveys and Mapping Branch Administration.....	39,255	
	Topographical Surveys, including expenses of the Canadian Board on Geographical Names—		
229	Administration, Operation and Maintenance.....	1,367,946	
230	Construction or Acquisition of New Equipment.....	134,000	
	Canadian Hydrographic Service, including Canada's Annual Contribution of \$5,750 to the International Hydrographic Bureau—		
231	Administration, Operation and Maintenance.....	1,575,902	
232	Construction or Acquisition of New Equipment.....	168,916	
233	Geodetic Survey of Canada—		
	Administration, Operation and Maintenance.....	661,935	
234	International Boundary Commission—Administration, Oper- ation and Maintenance.....	59,274	

SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
		\$	\$
	MINES AND TECHNICAL SURVEYS—Concluded		
	A—DEPARTMENT—Concluded		
	SURVEYS AND MAPPING BRANCH—Concluded		
235	Legal Surveys and Aeronautical Charts, Administration, Operation and Maintenance, including a grant of \$350 to the Canadian Institute of Surveying, and the expenses of the Board of Examiners for Dominion Land Surveyors and payment of fees of B. W. Waugh, J. L. Rannie and J. E. R. Ross, members of the Board, and A. W. Cole, Secretary of the Board.....	548,907	
	Map Compilation and Reproduction—		
236	Administration, Operation and Maintenance.....	558,544	
237	Construction or Acquisition of New Equipment.....	135,335	
	GEOGRAPHICAL BRANCH		
238	Geographical Branch—Administration, Operation and Maintenance.....	240,711	
	DOMINION OBSERVATORIES		
	Dominion Observatory, Ottawa, including membership fee of \$500 to the International Astronomical Union—		
239	Administration, Operation and Maintenance.....	332,148	
240	Construction or Acquisition of Buildings, Works, Land and New Equipment.....	118,440	
241	Dominion Astrophysical Observatory, Victoria, B.C.—		
	Administration, Operation and Maintenance.....	84,340	
	GENERAL		
242	Payments to Royal Canadian Air Force and Commercial Companies for Air Photography, and to defray the expenses of the Interdepartmental Committee on Air Surveys.	1,340,000	
	B—DOMINION COAL BOARD		
243	Administration and Investigations of the Dominion Coal Board.....	108,685	
244	Payments in connection with the movements of coal under conditions prescribed by the Governor in Council.....	4,000,000	
	NATIONAL DEFENCE		
	DEFENCE FORCES		
245	To provide for the Defence Forces of the Navy, Army and Air Services and Defence Research and Development, and to authorize total commitments for this purpose of \$3,831,270,000 including authority notwithstanding Section 29 of the Consolidated Revenue and Audit Act, to make commitments for the current year of \$1,924,170,835 and commitments against future years of \$1,907,099,165 against which commitments it is estimated that actual expenditures in 1951-52 will not exceed \$1,595,050,000 of which \$183,050,000 will be provided from Section 3 of the Defence Appropriation Act 1950 as supplemented by Item 246.....	1,412,000,000	16,047,583

SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
		\$	\$
	NATIONAL DEFENCE—Concluded		
	SPECIAL		
246	To authorize and provide for additional expenditures under the provisions of Section 3 of the Defence Appropriation Act, 1950, in the amount of \$61,383,108 and commitments against future years in the amount of \$29,720,000.....	61,383,108	
	GENERAL SERVICES		
247	Grants to Military Associations, Institutes and Others, as detailed in the Estimates.....	215,925	
248	War Museum and erection of Headstones in Canada.....	61,492	
249	Battlefields Memorials.....	55,617	
	PENSIONS AND OTHER BENEFITS		
250	Civil Pensions, as detailed in the Estimates.....	2,977	
251	To authorize in respect of members of the Royal Canadian Air Force on leave without pay and serving as instructors with civilian training organizations operating under the British Commonwealth Air Training Plan who were killed, payment to their dependents of amounts equal to the amounts such dependents would have received under the Pension Act as amended had such service as instructors been military service in the armed forces of Canada, less the value of any benefits received by such dependents under insurance contracts which were effected on the lives of such members of the Royal Canadian Air Force by or at the expense of the civilian organizations.....	2,358	
252	Militia Pension Act— Government's contribution to the Permanent Forces Pension Fund.....	16,681,239	1,490,402,716
	NATIONAL FILM BOARD		
253	Administration, Production and Distribution of Films and Other Visual Materials.....	2,474,366	
254	Construction or Acquisition of New Equipment.....	128,300	2,602,666
	NATIONAL HEALTH AND WELFARE		
255	Departmental Administration.....	869,901	
	NATIONAL HEALTH BRANCH		
	Health Services		
256	National Health Branch— Administration.....	115,726	
257	Administration of the Quarantine and Leprosy Acts.....	289,391	
258	Immigration Medical Services.....	736,367	
259	Sick Mariners Medical Services.....	584,111	
260	Grants to Institutions Assisting Sailors, in the amounts detailed in the Estimates.....	2,600	
	Laboratory of Hygiene— Operation and Maintenance.....	368,185	
261	Construction or Acquisition of Buildings, Works, Land and New Equipment.....	75,000	
262			

SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
		\$	\$
	NATIONAL HEALTH AND WELFARE—Continued		
	NATIONAL HEALTH BRANCH—Concluded		
	Health Services—Concluded		
263	Public Health Engineering.....	147,576	
264	Industrial Health.....	170,085	
265	Civil Service Health.....	233,247	
266	Epidemiology.....	40,832	
267	Administration of the Food and Drugs Act.....	815,546	
268	Administration of the Proprietary or Patent Medicines Act.....	25,515	
269	Administration of the Opium and Narcotic Drugs Act.....	159,914	
	Indians and Eskimos Health Services—		
270	Operation and Maintenance.....	9,875,630	
271	Construction or Acquisition of Buildings, Works, Land and New Equipment.....	1,609,000	
272	Grant to Squamish (B.C.) Hospital which cares for Indians and Eskimos.....	30,000	
	Special Technical Services—		
273	Nutrition.....	144,069	
274	Child and Maternal Health.....	87,308	
275	Venereal Disease Control.....	32,218	
276	Dental Health.....	43,414	
277	Hospital Design and Consulting Service.....	24,286	
278	Mental Health.....	50,610	
279	Blindness Control.....	32,328	
280	Civil Aviation Medicine.....	29,087	
281	Health Insurance Studies and Administration of General Health Grants.....	72,409	
	General Health Grants		
282	To authorize and provide for General Health Grants to the Provinces upon the terms and in the amounts detailed in the Estimates and in accordance with regulations prescribed by the Governor in Council including authority, notwith- standing Section 29 of the Consolidated Revenue and Audit Act, to make commitments for the current year not to exceed a total amount of \$35,302,238.....	25,000,000	
	Special Health Grants		
	Grants to Health Organizations—		
283	Canadian Mental Health Association.....	10,000	
284	Health League of Canada.....	10,000	
285	Canadian Public Health Association.....	5,000	
286	Canadian National Institute for the Blind.....	45,000	
287	L'Association Canadienne Française des Aveugles.....	6,000	
288	L'Institut Nazareth de Montréal.....	4,050	
289	Montreal Association for the Blind.....	4,050	
290	Canadian Tuberculosis Association.....	20,250	
291	Victorian Order of Nurses.....	13,100	
292	St. John Ambulance Association.....	10,000	
293	Canadian Red Cross.....	10,000	
294	Canadian Paraplegic Association.....	15,000	
	WELFARE BRANCH		
295	Welfare Branch Administration.....	30,696	
	Family Allowances—		
296	Administration.....	2,004,289	
	Old Age Pensions and Pensions to the Blind—		
297	Administration.....	83,859	

SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
		\$	\$
	NATIONAL HEALTH AND WELFARE—Concluded		
	WELFARE BRANCH—Concluded		
	National Physical Fitness—		
298	Administration.....	68,240	
299	Assistance to Provinces.....	82,214	
300	Assistance to Schools of Social Work.....	100,000	
301	Grant to Canadian Welfare Council.....	16,000	
			44,202,103
	NATIONAL RESEARCH COUNCIL AND ATOMIC ENERGY CONTROL BOARD		
	NATIONAL RESEARCH COUNCIL		
302	Salaries and Other Expenses.....	10,679,821	
303	Construction or Acquisition of Buildings, Works, Land and New Equipment (Revote \$739,000).....	3,481,675	
	ATOMIC ENERGY CONTROL BOARD		
304	Administration Expenses of the Atomic Energy Control Board..	62,108	
305	Researches and Investigations with Respect to Atomic Energy..	200,000	
	Atomic Energy Project—		
306	Operation and Maintenance.....	6,624,747	
307	Construction or Acquisition of Buildings, Works, Land and New Equipment (Revote \$600,000).....	1,625,885	
308	Construction of a New Reactor.....	7,000,000	
			29,674,236
	NATIONAL REVENUE		
	CUSTOMS AND EXCISE DIVISIONS		
309	General Administration.....	1,936,980	
310	Inspection, Investigation and Audit Services.....	2,695,241	
	Ports, Outports and Preventive Stations—		
311	Operation and Maintenance.....	18,244,353	
312	Construction or Acquisition of Buildings, Works, Land and New Equipment (Revote \$60,000).....	739,000	
313	Customs Excise Seizure Expenses and Adjustments.....	175,000	
	TAXATION DIVISION		
314	General Administration.....	1,530,206	
315	Internal Inspection and Verification.....	1,016,386	
316	District Offices.....	22,925,702	
	INCOME TAX APPEAL BOARD		
317	Administration Expenses.....	62,286	
			49,325,154
	POST OFFICE		
318	Departmental Administration.....	951,541	
319	Operations—Including salaries and other expenses of Staff Post Offices, District Offices, Railway Mail Service Staffs, and supplies, equipment and other items for Revenue Post Offices, also including Administration.....	54,256,849	
320	Transportation—Movement of Mail by Land, Air and Water, including Administration.....	36,919,486	
321	Financial Services, including audit of revenue, money order and savings bank business; and postage stamps.....	2,292,813	
			94,420,689

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		\$	\$
	PRIVY COUNCIL		
	PRIVY COUNCIL OFFICE		
322	General Administration.....	205,586	
	PRIME MINISTER'S OFFICE		
323	Salaries of Staff.....	123,949	
	PRIME MINISTER'S RESIDENCE		
324	Maintenance and Operation.....	25,000	
	FEDERAL DISTRICT COMMISSION		
325	Maintenance and improvement of grounds adjoining Govern- ment Buildings, Ottawa, and improvements to the Parkway System under the control of the Federal District Com- mission.....	421,400	
326	Expenses of the National Capital Planning Committee.....	45,000	
327	To authorize payment of the fourth instalment to a special account in the Consolidated Revenue Fund, known as the Capital National Fund, established under Vote No. 809, Appropriation Act, No. 4, 1947-48.....	2,500,000	3,320,935
	PUBLIC ARCHIVES		
328	General Administration and Technical Services.....		263,473
	PUBLIC PRINTING AND STATIONERY		
329	Departmental Administration.....	72,604	
330	Printing and Binding the Annual Statutes.....	30,000	
331	Canada Gazette.....	130,000	
332	Plant Equipment and Replacements.....	257,265	
333	Distribution of Official Documents.....	118,186	
334	Printing and Binding Official Publications for sale and distribu- tion to Departments and the Public.....	230,000	838,055
	PUBLIC WORKS		
335	Departmental Administration.....	475,765	
	ARCHITECTURAL BRANCH		
336	Branch Administration.....	471,308	
337	Ottawa—Maintenance and Operation of Public Buildings and Grounds, including repairs and upkeep, rents, furnishings, heating, etc., and to authorize commitments against future years in the amount of \$500,000.....	9,282,534	
338	Maintenance and Operation of Public Buildings and Grounds, other than at Ottawa, including repairs and upkeep, rents, furnishings, heating, etc., and to authorize commitments against future years in the amount of \$800,000.....	15,661,008	

SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
		\$	\$
	PUBLIC WORKS—Continued		
	ARCHITECTURAL BRANCH—Concluded		
	Acquisition, Construction and Improvements of Public Buildings		
	Construction, acquisition, major repairs and improvements of, and plans and sites for, public buildings listed in the Details of the Estimates, provided that Treasury Board may increase or decrease the amount within the vote to be expended on individual listed projects—		
339	Newfoundland.....	560,000	
340	Nova Scotia.....	278,000	
341	Prince Edward Island.....	380,000	
342	New Brunswick.....	1,639,000	
343	Quebec.....	7,968,000	
344	Ottawa.....	5,783,000	
345	Ontario (other than Ottawa).....	4,625,000	
346	Manitoba.....	430,000	
347	Saskatchewan.....	1,163,000	
348	Alberta.....	1,073,000	
349	British Columbia.....	3,294,000	
350	Yukon and Northwest Territories.....	200,000	
351	Unforeseen Improvements.....	2,200,000	
	ENGINEERING BRANCH		
352	Branch Administration.....	399,104	
	Engineering Services—		
353	Salaries, Surveys, Inspections, Test Borings, etc.....	1,588,512	
354	Construction or Acquisition of Buildings, Works, Land and New Equipment.....	178,500	
	Dredging		
355	Maintenance and Operation of Plant and Contract and Day Labour Works, in the amounts by Divisions as detailed in the Estimates.....	3,625,379	
356	New Plant, in the amounts by Divisions as detailed in the Estimates.....	749,100	
	Graving Docks		
357	Maintenance and Operation, in the amounts by Docks as detailed in the Estimates.....	324,271	
358	Construction or Acquisition of Buildings, Works, Land and New Equipment, in the amounts by Docks as detailed in the Estimates.....	44,000	
	Locks and Dams		
359	Maintenance and Operation.....	158,054	
360	Construction or Acquisition of Buildings, Works, Land and New Equipment.....	14,845	
	Snagboats		
361	Maintenance and Operation.....	111,976	
	Roads and Bridges		
362	Maintenance and Operation, in the amounts by Roads and Bridges as detailed in the Estimates.....	278,118	
363	Towards International Bridge over the St. Croix River between St. Stephen, N.B., and Calais, Me., the State of Maine to pay a like amount (Revote).....	10,000	

SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
		\$	\$
	PUBLIC WORKS—Concluded		
	ENGINEERING BRANCH—Concluded		
	Roads and Bridges—Concluded		
364	Towards Interprovincial Bridge over the Ottawa River between Pembroke, Ontario, and Allumette Island, Quebec, the Pro- vinces of Ontario and Quebec each to pay one-third of the cost and maintenance thereof.....	50,000	
	Acquisition, Construction and Improvements of Harbour and River Works.		
	Construction, acquisition, major repairs and improvements of and plans and sites for harbour and river works listed in the Details of the Estimates, provided that Treasury Board may increase or decrease the amount within the vote to be expended upon individual listed projects—		
365	Newfoundland.....	1,744,200	
366	Nova Scotia.....	2,757,000	
367	Prince Edward Island.....	1,588,500	
368	New Brunswick.....	2,531,500	
369	Quebec.....	5,815,900	
370	Ontario.....	4,948,000	
371	Manitoba.....	234,000	
372	Saskatchewan, Alberta and Northwest Territories.....	114,000	
373	British Columbia and Yukon.....	4,784,500	
374	Harbours and Rivers Generally— Repairs and Upkeep for the maintenance of services, in- cluding reconstruction and replacements and to author- ize commitments against future years in the total amount of \$560,000, as detailed in the Estimates, no new works to be undertaken.....	2,960,000	
	<i>Generally</i>		
375	Grand River—Contribution towards improvements (Revote \$78,000).....	93,750	
376	Fraser River—50% of the cost of investigations to be carried out by the "Dominion Provincial Board Fraser River Basin".....	150,000	
377	Protection Works Generally—To provide for remedial works where damages are caused by, or endanger, navigation or Federal Government structures.....	200,000	
	GENERAL		
378	National Gallery of Canada.....	285,977	
379	Miscellaneous works not otherwise provided for, not more than \$7,000 to be expended upon any one work.....	300,000	
380	National Capital Planning Service.....	66,344	
381	To supplement, on approval of Treasury Board except where less than \$1,000 is required, any of the appropriations of the Department of Public Works.....	400,000	
382	To provide for balances required to complete any projects undertaken in previous fiscal years and for which no specific provision is made in the fiscal year 1951-52.....	250,000	
			92,244,145

SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
		\$	\$
RESOURCES AND DEVELOPMENT			
383	Departmental Administration.....	381,223	
NATIONAL PARKS BRANCH			
384	Branch Administration.....	22,780	
	National Parks and Historic Sites Services—		
385	Administration, Operation and Maintenance.....	3,153,594	
386	Construction or Acquisition of Buildings, Works, Land and New Equipment.....	4,186,704	
387	Grant to the Jack Miner Migratory Bird Foundation.....	5,000	
388	Grant in aid of the development of the International Peace Garden in Manitoba.....	15,000	
389	Canadian Wildlife Service— Wildlife Resources Conservation and Development, in- cluding Administration of the Migratory Birds Con- vention Act—Administration, Operation and Main- tenance.....	311,092	
390	National Museum of Canada— Administration, Operation and Maintenance.....	228,669	
ENGINEERING AND WATER RESOURCES BRANCH			
391	Branch Administration.....	65,410	
	Water Resources Division—		
	Water Resources Division, including the Administration of the Dominion Water Power and Irrigation Acts, and including grant of \$350 to the International Executive Council, World Power Conference—		
392	Administration, Operation and Maintenance.....	585,926	
393	Construction or Acquisition of Buildings, Works, Land and New Equipment.....	50,995	
394	To provide for studies and surveys of the Columbia River Watershed in Canada.....	381,095	
395	To provide for studies and surveys of the Red River Basin in Canada.....	182,000	
396	Lake of the Woods Control Board.....	13,565	
397	To provide for the expenses incurred under the agreement between Canada, Ontario and Manitoba, confirmed by the Lac Seul Conservation Act, 1928, moneys ex- pended to be largely reimbursed.....	17,750	
398	Engineering and Architectural Division—Administration, Op- eration and Maintenance.....	368,020	
	Projects Division—		
399	Administration.....	40,433	
400	To provide for a contribution by Canada to the improve- ment and reconstruction of the road between Patricia Bay Airport, Vancouver Island, and the city limits of Victoria, B.C., in accordance with the terms of the agreement between Canada and the Province of British Columbia.....	200,000	
401	To provide for a contribution to the cost of constructing a dam on the Upper Thames River near Fanshawe, Ontario, for the purposes of flood control and conser- vation, in accordance with the terms of an agreement to be entered into between Canada, the Province of Ontario and the Upper Thames River Conservation Authority.....	580,000	
402	To provide, subject to allocation by Treasury Board, for the design and planning of deferrable projects, the acquisition of sites and the initiation of construction.....	1,000,000	

SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
		\$	\$
	RESOURCES AND DEVELOPMENT— <i>Concluded</i>		
	ENGINEERING AND WATER RESOURCES BRANCH— <i>Concluded</i>		
	Trans-Canada Highway Division—		
403	Administration, Operation and Maintenance.....	353,269	
404	To provide for surveys of the Trans-Canada Highway through National Parks.....	12,000	
405	To provide for general investigations by the Northwest Terri- tories Power Commission of the electric power requirements of settlements and industries in the Northwest Territories and the Yukon Territory (Revote).....	1,000	
406	To recoup the Minister of Finance for advances to be made to the Northwest Territories Power Commission during the fiscal year 1950-51 for power developments as provided under Section 17(2) of the Northwest Territories Power Commission Act, Chapter 64, Statutes of 1948.....	110,000	
	NORTHERN ADMINISTRATION AND LANDS BRANCH		
407	Branch Administration.....	16,194	
408	Lands Division—Administration of Territorial and Public Lands; Seed Grain Collections.....	278,883	
409	Northern Administration Division— Administration.....	266,724	
	Northwest Territories, including Wood Buffalo Park and Eskimo Affairs—		
410	Operation and Maintenance.....	976,366	
411	Construction or Acquisition of Buildings, Works, Land and New Equipment.....	237,215	
	Forest Conservation and Wildlife Management including Wood Buffalo Park—		
412	Operation and Maintenance.....	276,633	
413	Construction or Acquisition of Buildings, Works, Land and New Equipment.....	64,804	
414	Yukon Territory, including Forest Conservation— Operation and Maintenance.....	475,717	
415	Construction or Acquisition of Buildings, Works, Land and New Equipment.....	190,450	
	FORESTRY BRANCH		
416	Branch Administration.....	81,971	
	Forest Research Division—		
417	Operation and Maintenance.....	842,803	
418	Construction or Acquisition of Buildings, Works, Land and New Equipment.....	53,176	
419	Forestry Operations Division, including Forest Insects Control Board.....	63,858	
	Forest Products Division—		
420	Operation and Maintenance.....	500,034	
421	Construction or Acquisition of Buildings, Works, Land and New Equipment.....	35,945	
422	Grant to Canadian Forestry Association.....	6,000	
423	Grant to Pulp and Paper Research Institute of Canada.....	100,000	
	Eastern Rockies Forest Conservation Board—		
424	Salaries and expenses of Federal members of the Board....	16,680	
425	Federal contribution towards annual maintenance, including staff and expenses.....	175,000	
	CANADIAN GOVERNMENT TRAVEL BUREAU		
426	To assist in promoting the Tourist Business in Canada.....	1,503,197	
	HOUSING		
427	Emergency Shelter Administration.....	250,000	
			18,677,175

SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
		\$	\$
	ROYAL CANADIAN MOUNTED POLICE		
428	General Administration.....	356,361	
	Land Services—Arising out of the Royal Canadian Mounted Police Act, enforcement of Federal Statutes generally, and other incidental expenses—		
429	Operation and Maintenance.....	21,278,916	
430	Construction or Acquisition of Buildings, Works, Land and New Equipment.....	3,251,129	
	Marine Services—Arising out of the Royal Canadian Mounted Police Act, enforcement of Federal Statutes generally, and other incidental expenses—		
431	Operation and Maintenance.....	1,092,030	
432	Construction or Acquisition of New Equipment.....	28,700	
	Aviation Services—Arising out of the Royal Canadian Mounted Police Act, enforcement of Federal Statutes generally, and other incidental expenses—		
433	Operation and Maintenance.....	182,696	
434	Construction or Acquisition of New Equipment.....	21,000	
435	Grant to the Chief Constables' Association of Canada.....	500	
	PENSIONS AND OTHER BENEFITS		
436	Pensions to families of members of the Mounted Police who have lost their lives while on duty, as detailed in the Estimates	6,133	
437	Pension to Basil Burke Currie.....	685	
438	Pension to Annie A. Greer.....	254	
			26,218,404
	SECRETARY OF STATE		
439	Departmental Administration.....	196,501	
440	Companies Branch.....	82,371	
441	Trade Marks Branch, including a contribution of \$2,400 to the International Office for the Protection of Industrial Property	85,517	
442	Bureau for Translations.....	816,683	
443	Canada Temperance Act.....	1,000	
	PATENT AND COPYRIGHT OFFICE		
444	Administration Division.....	48,452	
445	Patent Division.....	729,899	
446	Copyright and Industrial Designs Division, including a contribu- tion of \$2,100 to the Union Office for the Protection of Literary and Artistic Works.....	20,828	
447	Patent Record Division.....	72,474	
	GENERAL		
448	Bibliographic Centre (National Library).....	48,221	
			2,101,946
	TRADE AND COMMERCE		
	GENERAL ADMINISTRATION		
449	Departmental Administration.....	513,280	
450	Commodities and Allocations, including assistance in the development of markets and new industry, the procurement of supplies, and contributions as detailed in the Estimates..	596,973	
451	Trade Commissioner Service, including payment of compensa- tion to Trade Commissioners for damage to and loss of furniture and effects, under regulations approved by the Governor in Council.....	1,963,751	

SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
		\$	\$
	TRADE AND COMMERCE—Continued		
	GENERAL ADMINISTRATION—Concluded		
452	Information Division, including publicity and advertising in Canada and abroad.....	165,697	
453	Economic Research and Forecasting Divisions, including conducting of investigations and reporting upon current economic conditions and outlook.....	193,824	
454	International Trade Relations Division, including investigating and reporting on commercial relations and foreign tariffs and a contribution of \$6,300 to the International Customs Tariffs Bureau.....	151,889	
	EXHIBITIONS		
455	Exhibitions generally.....	257,122	
456	Canadian International Trade Fair, 1951, including authority to refund from revenue deposits received for contracts for space (Revote \$85,000).....	606,053	
	STANDARDS DIVISION		
457	Administration, including administration of the Precious Metals Marking Act.....	110,923	
458	Electricity and Gas Inspection Services, including administration of the Electricity and Fluid Exportation Act—Operation and Maintenance.....	565,429	
459	Laboratory—Operation and Maintenance.....	72,121	
460	Weights and Measures Inspection Services—Operation and Maintenance.....	637,985	
	DOMINION BUREAU OF STATISTICS		
461	Administration.....	146,755	
462	Statistics, including contribution of \$3,000 to the Inter-American Statistical Institute.....	3,823,828	
463	Census of Population and Agriculture and the 1951 Census of Distribution.....	7,015,851	
	WHEAT AND GRAIN DIVISION		
464	Salaries and other expenses.....	27,488	
465	To provide for the Canadian Government's annual assessment for membership in the International Wheat Council.....	25,000	
	CANADA GRAIN ACT		
466	Administration.....	129,399	
467	Board of Grain Commissioners—Operating and Maintenance Expenses including inspection, weighing, registration, etc....	2,613,807	
	Canadian Government Elevators—Operation and Maintenance Expenses (Revote \$100,760)..	625,467	
469	Construction of Safety Devices, and Acquisition of New Equipment (Revote \$64,368).....	64,368	

SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
		\$	\$
	TRADE AND COMMERCE—Concluded		
	SPECIAL		
470	To provide for payments by the Government of Canada under agreement dated July 10, 1950, between the Government of Canada and the Government of Manitoba, establishing the Greater Winnipeg Dyking Board.....	1,275,000	21,587,010
	TRANSPORT		
	A—DEPARTMENT		
471	Departmental Administration.....	1,199,818	
	CANAL SERVICES		
	Canal Services—		
472	Administration.....	107,134	
473	Operation and Maintenance.....	4,523,107	
474	Construction or Acquisition of Buildings, Works, Land and New Equipment.....	3,500,000	
475	To provide for expenses in connection with the St. Lawrence Ship Canal Surveys and Investigations.....	10,000	
	MARINE SERVICES		
476	Marine Services Administration, including Agencies.....	513,944	
	Marine Service Steamers—		
477	Administration.....	50,112	
478	Operation, Maintenance and Repairs.....	4,490,072	
479	Construction or Acquisition of Vessels, as detailed in the Estimates—Capital.....	2,254,800	
	Aids to Navigation—		
480	Administration, Operation and Maintenance.....	4,215,904	
481	Construction or Acquisition of Buildings, Works, Land and New Equipment.....	692,540	
	Nautical Services—		
482	Administration.....	152,950	
483	Operation and Maintenance, including grants and contributions, as detailed in the Estimates; rewards for saving life from vessels in distress; subsidies to salvage companies, and the payment of expenses, including excepted expenses, incurred in respect of Canadian distressed seamen as defined in Section 296 of the Canada Shipping Act.....	390,591	
484	Construction or Acquisition of Buildings, Works, Land and New Equipment.....	21,500	
485	Pilotage Service, including authority for temporary recoverable advances not exceeding \$13,000.....	367,363	
486	Steamship Inspection and the carrying out of the provisions of the conventions for the safety of life at sea and load lines..	461,408	
487	Marine Signal Service.....	173,981	
	River St. Lawrence Ship Channel Service—		
488	Administration, Operation and Maintenance.....	922,291	
489	Contract Dredging—Capital.....	2,013,409	
	RAILWAY AND STEAMSHIP SERVICES		
490	Repairs and expenses in connection with the operation and maintenance of Official Railway Cars under the jurisdiction of the Department.....	52,000	

SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
		\$	\$
	TRANSPORT—Continued		
	A—DEPARTMENT—Continued		
	RAILWAY AND STEAMSHIP SERVICES—Concluded		
491	Hudson Bay Railway— To provide for the difference between the expenditures for operation and maintenance, and revenue accruing from operation during the year ending March 31, 1952, not exceeding.....	250,000	
492	Construction or Acquisition of Buildings and Works— Capital.....	40,000	
493	Prince Edward Island Car Ferry and Terminals— To provide for the payment during the fiscal year 1951-52 to the Canadian National Railway Company (hereinafter called the National Company) upon applications approved by the Minister of Transport made from time to time by the National Company to the Minister of Finance and to be applied by the National Company in payment of the deficit (certified by the auditors of the National Company) in the operation of the Prince Edward Island Car Ferry and Terminals arising in the calendar year 1951.....	1,280,000	
494	Construction and Improvement of Terminal Facilities— Capital (Revote).....	75,000	
495	Canadian National (West Indies) Steamships, Limited—To provide for the payment from time to time to the Canadian National (West Indies) Steamships, Limited (hereinafter called "The Company") of the amount of the deficit occurring during the year ending December 31st, 1951 in the operations of the Company and the vessels under the control of the Company, as certified by the Auditors of the Company, and upon applications made by the Company to the Minister of Finance and approved by the Minister of Transport, not exceeding.....	845,000	
496	Strait of Canso—Transportation improvements and facilities— Capital (Revote).....	1,000,000	
497	Canadian Government Railways— Enlargement of Dock and Terminal Facilities at North Sydney, N.S.—Capital.....	1,660,000	
498	Construction of New Dock and Terminal Facilities at Port-aux-Basques, Nfld.—Capital.....	500,000	
499	Construction or Acquisition of Auto-Ferry Vessels, as detailed in the Estimates—Capital.....	2,550,000	
500	Ogden Point Piers, Victoria, B.C.—Construction or Acquisition of Buildings, Works and Land—Capital.....	55,000	
501	Maritime Freight Rates Act—For the payment to the Railway Companies operating in the select territory designated by the Act, during the fiscal year 1951-52, of the difference occurring on account of the application of the Act, between the tariff tolls and normal tolls under approved tariffs (estimated and certified to the Minister of Transport by the Canadian National Railway Company and approved by Auditors of the said Company respecting the Eastern Lines of the Canadian National Railways, and in the case of the Other Railways by the Board of Transport Commissioners for Canada) on all traffic moved during the Calendar Year 1951, (Chap. 79, Statutes of 1927, as amended).....	9,125,000	
	PENSIONS AND OTHER BENEFITS		
502	Amount required to pay pensions at the rate of \$300 per annum to former pilots: Alphonse Asselin; Arthur Baquet; Adelaire Delisle; Raoul Lachance; Jules Lamarre; Wilhelm Langlois; George Larochelle; Auguste Santerre.....	2,400	

SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
		\$	\$
	TRANSPORT—Continued		
	A—DEPARTMENT—Continued		
	PENSIONS AND OTHER BENEFITS—Concluded		
503	Railway Employees' Provident Fund—To supplement pension allowances under the provisions of the Intercolonial and Prince Edward Island Railway Employees' Provident Fund Act so as to make the minimum payment during the period January 1, 1951, to March 31, 1952, the sum of \$30 per month instead of \$20 as fixed by the said Act.....	14,250	
	AIR SERVICES		
	Telecommunications Division		
	Airways and Airports—Radio Aviation Services—		
504	Administration, Operation and Maintenance.....	4,707,545	
505	Construction or Acquisition of Buildings, Works, Land and New Equipment—Capital.....	1,499,200	
	Radio Act and Regulations—		
506	Administration, Operation and Maintenance, including contributions as Canada's share of the administrative costs of various international radio, telegraph and telephone conferences, as detailed in the Estimates.....	898,836	
507	Construction or Acquisition of Buildings, Works, Land and New Equipment.....	52,850	
	Radio Aids to Marine Navigation—		
508	Administration, Operation and Maintenance.....	1,819,983	
509	Construction or Acquisition of Buildings, Works, Land and New Equipment.....	200,000	
	Suppression of Radio Interferences—		
510	Administration, Operation and Maintenance.....	378,803	
511	Construction or Acquisition of Buildings, Works, Land and New Equipment.....	27,600	
512	Issue of Radio Receiving Licences— (Transport Department only).....	719,668	
	Telegraph and Telephone Service—		
513	Administration, Operation and Maintenance.....	1,440,729	
514	Construction or Acquisition of Buildings, Works, Land and New Equipment.....	450,100	
	Northwest Communication System—		
515	To provide for the difference between the expenditures for operation and maintenance and revenue accruing from operations during the year ending March 31, 1952.....	100,659	
516	Construction or Acquisition of Buildings, Works, Land and New Equipment—Capital.....	361,478	
	Meteorological Division		
	Meteorological Services—		
517	Administration, Operation and Maintenance.....	6,116,836	
518	Construction or Acquisition of Buildings, Works, Land and New Equipment.....	449,350	
	Civil Aviation Division		
519	Control of Civil Aviation, including the Administration of the Aeronautics Act and Regulations issued thereunder.....	768,060	
	Airways and Airports—		
	Operation and Maintenance—		
520	Civil Aviation Services.....	8,808,885	
521	Airway and Airport Traffic Control	1,203,247	

SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
		\$	\$
	TRANSPORT— <i>Concluded</i>		
	A—DEPARTMENT— <i>Concluded</i>		
	AIR SERVICES— <i>Concluded</i>		
	Civil Aviation Division— <i>Concluded</i>		
	Airways and Airports— <i>Concluded</i>		
	Construction Services—		
522	Administration.....	749,582	
523	Construction or Acquisition of Buildings, Works, Land and New Equipment—Capital.....	6,493,350	
524	Grants to Organizations for the development of Civil Aviation, in the amounts detailed in the Estimates.....	310,000	
525	Contributions, subject to the approval of the Governor in Council, to assist municipalities in the development of and improvement to airports, the sites of which have been provided by such municipalities.....	130,000	
526	Contributions, as specified in the details of the Estimates, to other Governments or International Agencies for the opera- tion and maintenance of airports, air navigation and airways facilities.....	244,920	
	Administrative Division		
527	Air Services Administration.....	215,705	
	B—GENERAL		
	AIR TRANSPORT BOARD		
528	Salaries and Other Expenses, including the Canadian Delegation to the International Civil Aviation Organization.....	247,741	
	BOARD OF TRANSPORT COMMISSIONERS FOR CANADA		
529	Board of Transport Commissioners for Canada— Administration, Operation and Maintenance.....	681,220	
	CANADIAN MARITIME COMMISSION		
530	Administration.....	166,799	
531	Steamship Subventions, as detailed in the Estimates.....	3,779,875	
532	Assistance for Canadian flag ocean shipping industry.....	375,000	
	NATIONAL HARBOURS BOARD		
533	Advances to National Harbours Board, subject to the provisions of Section 29 of the National Harbours Board Act, to meet expenditures applicable to the calendar year 1951 on any or all of the following accounts:— Reconstruction and Capital Expenditures— Halifax.....\$1,243,000 Quebec.....22,000 Port Colborne.....112,000 Churchill.....161,000 Generally Unforeseen and Miscellaneous.....200,000	1,738,000	
534	To provide for payment to National Harbours Board of the amount hereinafter set forth, to be applied in payment of the deficit (exclusive of interest on Dominion Government advances and depreciation on capital structures) arising in the calendar year 1951, in the operation of the Churchill Harbour.....	128,800	
			88,779,395

SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
		\$	\$
VETERANS AFFAIRS			
535	Departmental Administration.....	2,208,070	
536	District Services—		
	Administration.....	2,672,171	
537	Veterans' Welfare Services.....	3,288,364	
	Treatment Services—		
538	Operation of Hospitals and Administration.....	36,249,295	
539	Medical Research and Education.....	375,000	
540	Hospital Construction, Improvements, New Equipment and		
	Acquisition of Land.....	4,217,900	
541	Prosthetic Services—		
	Supply, Manufacture and Administration.....	1,018,130	
	Canadian Pension Commission—		
542	Administration Expenses, including Salaries for the Chair-		
	man of the Canadian Pension Commission at \$2,000 per		
	annum and the Deputy Chairman and each of the other		
	Commissioners, including ad hoc Commissioners, at		
	\$1,000 per annum additional to the salaries provided		
	under Chap. 157, R.S. 1927, as amended.....	2,144,434	
543	Veterans Bureau.....	490,177	
544	War Veterans' Allowance Board—Administration.....	187,268	
545	Veterans' Insurance.....	88,367	
PENSIONS AND OTHER BENEFITS			
546	Pensions for Disability and Death, including pensions granted		
	under the authority of the Civilian Government Employees		
	(War) Compensation Order P.C. 45/8848 of 22nd November,		
	1944, which shall be subject to the Pension Act.....	97,105,000	
547	Newfoundland Special Awards.....	30,000	
548	War Veterans' Allowances.....	26,585,000	
549	Assistance Fund (War Veterans' Allowances).....	850,000	
550	Unemployment Assistance.....	50,000	
551	Hospital and Other Allowances.....	3,100,000	
552	Gallantry Awards—World War 2.....	18,000	
MISCELLANEOUS PAYMENTS			
553	Employers Liability Compensation.....	180,000	
554	Last Post Fund.....	135,000	
555	Grant to Canadian Legion.....	9,000	
SOLDIER SETTLEMENT AND VETERANS' LAND ACT			
556	To provide for the cost of administration of Veterans' Land		
	Act; Soldier Settlement and British Family Settlement..	4,606,624	
557	To provide for the upkeep of property, Veterans' Land Act,		
	including engineering and other investigational planning		
	expenses that do not add tangible value to real property:		
	taxes, insurance and maintenance of public utilities.....	80,000	
558	To provide for the payment of grants to veterans settled on		
	Provincial Lands in accordance with agreements with		
	Provincial Governments under Section 35 of the Veterans'		
	Land Act, 1942, as amended, and payment of grants to		
	veterans settled on Dominion Lands, in accordance with an		
	agreement with the Minister of Resources and Development		
	under Section 35 of the Veterans' Land Act, 1942, as amended	1,100,000	
559	To provide for the payment of grants to Indian veterans settled		
	on Indian Reserve Lands under Section 35A of the Veterans'		
	Land Act, 1942, as amended.....	300,000	

SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
		\$	\$
	VETERANS AFFAIRS—Concluded		
	SOLDIER SETTLEMENT AND VETERANS' LAND ACT—Concluded		
560	To provide for the reduction of indebtedness to the Director of Soldier Settlement of a settler under the Soldier Settlement Act, in respect of a property in his possession, the title of which is held by the Director, by an amount which will reduce his indebtedness to an amount in keeping with the productive capacity of the property and his ability to repay his indebtedness to the Director, under regulations approved by the Governor in Council.....	150,000	
561	To authorize and provide, subject to the approval of the Governor in Council, for necessary remedial work on properties constructed under individual firm price contracts and sold under the Veterans' Land Act to correct defects for which neither the veteran nor the contractor can be held financially responsible and for such other work on other properties as may be required to protect the interest of the Director therein.....	15,000	
562	To authorize and provide, subject to the approval of the Governor in Council in each case, for the completion of necessary remedial work to houses and services constructed under the 1945 building program.....	34,400	
	TERMINABLE SERVICES		
563	Post Discharge Rehabilitation Benefits, including the training of Merchant Seamen and Salt Water Fishermen Pensioners.	6,412,500	193,699,700
			2,441,816,446
	LOANS, INVESTMENTS AND ADVANCES		
	CANADIAN BROADCASTING CORPORATION		
564	Loans to the Canadian Broadcasting Corporation repayable with interest at a rate to be fixed by the Governor in Council on such terms and conditions as the Governor in Council may determine and to be applied in payment of expenditures to cover capital costs of television installations and to support the development of the service. Such loans, with interest, shall be a charge on the revenues of the Canadian Broadcasting Corporation next after the charge imposed under the provisions of Section 17 of the Canadian Broadcasting Act, 1936.....	1,500,000	
	CENTRAL MORTGAGE AND HOUSING CORPORATION		
565	To provide for advances to Central Mortgage and Housing Corporation for the acquisition of land, the installation of services and improvements in respect thereof, the purchase of building materials and the construction or conversion of housing projects for veterans and for residents of Deep River, Ontario, under the authority of Section 34 of the National Housing Act, 1944.....	12,700,000	
	EXTERNAL AFFAIRS		
566	To authorize and provide for working capital advances in the current and subsequent fiscal years to maintain cash and bank balances at Department of External Affairs posts abroad, subject to regulations of the Treasury Board, the amount of advances hereby authorized outstanding at any time not to exceed.....	300,000	

SCHEDULE A—*Concluded*

No. of Vote	Service	Amount	Total
	LOANS AND INVESTMENTS—<i>Concluded</i>	\$	\$
	RESOURCES AND DEVELOPMENT		
567	To provide for advances to the Northwest Territories Power Commission for the construction on the Mayo River, Yukon Territory, of a storage and hydro-electric development, to serve the Mayo mining district.....	1,200,000	
	TRANSPORT		
	Air Services		
568	To authorize and provide for a revolving fund for the purchase of materials and supplies to be held in Northwest Communications System Stores for use on both Capital and Maintenance Works.....	100,000	
	National Harbours Board		
569	Advances to National Harbours Board, subject to the provisions of Section 29 of the National Harbours Board Act, to meet expenditures applicable to the calendar year 1951 on any or all of the following accounts: Reconstruction and Capital Expenditures— Montreal.....\$1,279,968 Vancouver.....\$ 150,000 \$1,429,968 Less amount to be expended from Replacement Funds.....\$ 203,000	1,226,968	
	VETERANS AFFAIRS		
	<i>Soldier Settlement and Veterans' Land Act</i>		
570	To provide for protection of security—Soldier Settlement, and refunds of surplus to veterans.....	25,000	
571	To provide for purchase of land and permanent improvements; cost of permanent improvements to be effected; removal of encumbrances; stock and equipment, refund of surplus to veterans (Section 19); and for protection of security under the Veterans' Land Act.....	23,685,000	
	Total.....		40,736,968
			*2,482,553,414

* Net total \$1,852,975,067

SCHEDULE B

Based on the Further Supplementary Estimates, 1951-52. The amount hereby granted is \$195,172,180 being the amount of each of the items in the Estimates contained in this Schedule.

No. of Vote	Service	Amount	Total
		\$	\$
	AGRICULTURE		
	SCIENCE SERVICE		
	Science Service Administration—		
651	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required.....	536,000	
652	Animal and Poultry Pathology—		
	Operation and Maintenance—Further amount required....	8,500	
653	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required.....	83,600	
	Botany and Plant Pathology—		
654	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required.....	14,300	
	Forest Entomology—		
655	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required.....	85,000	
	EXPERIMENTAL FARMS SERVICE		
	Central Experimental Farm—		
656	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required.....	36,300	
	Branch Farms and Stations and Illustration Stations—		
657	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required.....	267,210	
	PRODUCTION SERVICE		
	Health of Animals—		
658	Administration of Animal Contagious Diseases Act, and Meat and Canned Foods Act—Further amount required	53,894	
659	To provide for payment of compensation to owners of animals affected with diseases coming under the operation of the Animal Contagious Diseases Act, which have died or have been slaughtered under circumstances unprovided for under the above Act and Regulations thereunder, in the amounts detailed in the Estimates..	5,001	
660	Grants to Agricultural Organizations, as detailed in the Estimates—Further amount required.....	7,000	
	MARKETING SERVICE		
661	Subsidies for Cold Storage Warehouses under the Cold Storage Act, and Grants, in the amounts detailed in the Estimates—Further amount required.....	88,355	
	TERMINABLE SERVICES		
662	Freight Assistance on Western Feed Grains—Further amount required.....	10,500,000	
	SPECIAL		
663	Prairie Farm Rehabilitation Act and Water Storage—Further amount required.....	65,000	
664	Land Protection, Reclamation and Development in British Columbia under such terms and conditions as may be approved by the Governor in Council—Further amount required.....	132,600	

SCHEDULE B—Continued

No. of Vote	Service	Amount	Total
		\$	\$
	AGRICULTURE—Concluded		
	SPECIAL—Concluded		
665	Land Protection and Reclamation; Clearing and Settlement of New Lands under such terms and conditions as may be approved by the Governor in Council—Further amount required.....	100,000	
666	Maritime Marshland Rehabilitation Act—Further amount required.....	408,800	
667	Assiniboine River—Surveys, Dyking and Cut-off.....	75,000	
668	Amount required to recoup the Agricultural Prices Support Account to cover the net operating loss of the Agricultural Prices Support Board during the fiscal year 1950-51.....	1,743,515	
669	To provide assistance in apple tree removal in the Province of Nova Scotia under such terms and conditions as may be approved by the Governor in Council.....	200,000	14,410 075
	CANADIAN BROADCASTING CORPORATION		
	CANADIAN BROADCASTING CORPORATION		
670	To provide for an interim grant to the Canadian Broadcasting Corporation pending amendment of the Canadian Broadcasting Act.....	1,500,000	
	INTERNATIONAL SHORTWAVE BROADCASTING STATION		
671	Construction or Acquisition of Buildings, Works, Land and New Equipment, including Supervision (Revote)—Further amount required.....	235,678	1,735,678
	CITIZENSHIP AND IMMIGRATION		
	CITIZENSHIP		
672	Citizenship Branch—Further amount required.....	24,484	
	IMMIGRATION BRANCH		
673	Administration of the Immigration Act—Further amount required.....	50,000	
674	Field and Inspectional Service Abroad—Operation and Maintenance—Further amount required.....	366,168	
675	To provide an amount, additional to the sum provided by Item 62 of the Main Estimates, 1951-52, required to extend to December 31, 1951, the period during which payments may be made to Trans-Canada Airlines of the difference in cost between air transportation and minimum tourist class ocean transportation for immigrants transported from the United Kingdom by Trans-Canada Airlines during such extended period—Further amount required.....	955,312	
	INDIAN AFFAIRS BRANCH		
676	Indian Agencies— Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required.....	105,400	
677	Education—Day and Residential Schools— Operation and Maintenance—Further amount required....	485,405	
678	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required.....	265,223	2,251,992

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		\$	\$
	CIVIL SERVICE COMMISSION		
679	Salaries and Contingencies of the Commission — Further amount required.....		10,000
	DEFENCE PRODUCTION		
	DEPARTMENT		
680	Departmental Administration and payments to Canadian Commercial Corporation and other corporate agencies for services provided in connection with defence purchasing and production—Further amount required.....	1,000,000	
681	To provide capital assistance for the construction, acquisition, extension or improvement of capital equipment or works by private contractors engaged in defence contracts, or by Crown Plants operated on a management-fee basis, or by Crown Companies under direction of the Minister of Defence Production, subject to approval of Treasury Board—Further amount required.....	50,000,000	51,000,000
	EXTERNAL AFFAIRS		
	A—DEPARTMENT AND MISSIONS ABROAD		
682	Representation Abroad—Operational—including payment of salaries of High Commissioners, Ambassadors, Ministers Plenipotentiary, Consuls, Secretaries and staff appointed as directed by the Governor General in Council, notwithstanding anything to the contrary in the Civil Service Act or any of its amendments—Further amount required.....	110,000	
683	To provide for official hospitality—Further amount required by reason of the visit of the President of France.....	20,000	
	B—GENERAL		
	The Canadian Government's Assessment for Membership in International or Commonwealth Organizations		
684	Further amount required to supplement Votes 95-98 inclusive, and 100-105 inclusive, in the Main Estimates to meet fluctuations in exchange.....	40,000	
685	Contribution to the North Atlantic Treaty Organization to meet the Canadian Government's share of the cost of civil administration.....	320,000	
	Terminable Services		
686	Contribution to the United Nations International Children's Emergency Fund.....	500,000	
687	To provide for and authorize grants or loans to governments of countries in South and South East Asia to assist in the economic development of such countries, and special administrative expenses in connection therewith.....	25,000,000	
688	To provide for the purchase and transportation to Yugoslavia of relief supplies.....	45,000	26,035,000

SCHEDULE B—Continued

No. of Vote	Service	Amount	Total
		\$	\$
	FINANCE		
	GENERAL ADMINISTRATION		
689	Comptroller of the Treasury— Central Office and Branch Offices Administration—Further amount required to organize for payment of universal old age pensions.....	643,700	
	GRANTS TO UNIVERSITIES		
690	To provide grants to universities and equivalent institutions of higher learning in amounts not exceeding in total for each province 50 cents per head of population of that province, as determined by the Dominion Bureau of Statistics, and in accordance with regulations to be made by the Governor in Council on the recommendation of the Minister of Finance, who is authorized to consult a committee drawn from the National Conference of Canadian Universities in regard to the apportionment of such grants among institutions within each province on the general principle of making such grants proportionate to the enrolment of students at the university level and pursuing courses recognized as leading to a uni- versity degree.....	7,100,000	7,743,700
	FISHERIES		
	GENERAL SERVICES		
691	Industrial Development Service—Further amount required.....	15,000	
692	To provide for transportation, dressing and dyeing and other expenses incidental to receiving and disposing of fur seal skins accruing to Canada pursuant to Provisional Fur Seal Agree- ment between Canada and the United States by exchange of Notes dated December 26th, 1947—Further amount required.....	300,000	
	FIELD SERVICES		
693	Protection Branch— Operation and Maintenance—Further amount required....	165,605	
694	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required.....	105,125	
	FISHERIES RESEARCH BOARD		
695	Fisheries Research Board— Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required.....	147,000	
	INTERNATIONAL COMMISSIONS		
696	To provide for Canadian share of expenses of the International Commission for the Northwest Atlantic Fisheries appointed pursuant to International Conventions for the investigation, protection, and conservation of the fisheries of the North- west Atlantic Ocean, dated at Washington, February 8th, 1949—Further amount required.....	15,000	

SCHEDULE B—Continued

No. of Vote	Service	Amount	Total
		\$	\$
	FISHERIES—Concluded		
	SPECIAL		
697	To provide for administration expenses of the Fisheries Prices Support Act, 1944—Further amount required.....	7,300	
698	To provide for assistance in the construction of vessels of the dragger and/or long liner type, subject to such terms and conditions as may be approved by the Governor in Council—Further amount required.....	50,000	
699	Amount required to recoup Fisheries Prices Support Account, to cover the net operating loss of the Fisheries Prices Support Board during the fiscal year 1950-51.....	88,641	
700	To provide for acquisition of lands required by the International Pacific Salmon Fisheries Commission, as required by Article VIII of Treaty dated May 26, 1930, between Canada and the United States for the protection, preservation and extension of the Sockeye Salmon Fisheries of the Fraser River System.....	200	893,871
	JUSTICE		
	A—DEPARTMENT		
701	Departmental Administration—Further amount required....	6,000	
702	Supreme Court of Canada—Administration—Further amount required.....	8,000	
703	To provide for the Revision, Classification and Consolidation of the Public General Statutes of Canada—Further amount required.....	200,000	
704	To provide for the Revision of the Criminal Code—Further amount required.....	20,000	
	B—PENITENTIARIES		
	OFFICE OF THE COMMISSIONER OF PENITENTIARIES		
705	Operation and maintenance of penitentiaries, including supplies and services relating thereto; administration, operation, repair and upkeep of buildings, works and equipment; maintenance, discharge and transfer of convicts; compensation to discharged convicts permanently disabled while in penitentiaries—Further amount required.....	125,291	
706	Construction, Improvements and New Equipment, including provision for the establishment and construction of a new institution in the Province of Quebec for the confinement and reformation of Federal prisoners and to increase the authority for commitments against future years from \$200,000, included in Vote 184, Main Estimates, 1951-52, to \$400,000—Further amount required.....	556,380	915,671
	LABOUR		
	A—DEPARTMENT		
	GENERAL ADMINISTRATION		
707	Departmental Administration—Further amount required.....	13,057	
708	Annuities Act—Administration—Further amount required.....	50,000	

SCHEDULE B—Continued

No. of Vote	Service	Amount	Total
		\$	\$
	LABOUR—Continued		
	A—DEPARTMENT—Continued		
	GENERAL ADMINISTRATION—Concluded		
	Annuities Act—Concluded		
709	To provide, notwithstanding the Government Annuities Act, authority for payment out of the Government Annuities Fund to Fred Clare and Celia Clare, purchasers of Canadian Government Annuity Contracts Nos. 313,519 and 313,520 of the premiums paid with respect to said contracts less amounts of the instalments of annuity paid under the contracts.....	1	
710	Notwithstanding the Government Annuities Act, to authorize the Minister of Labour in consequence of the transfer of employees from the original employers to the new employers specified in the Details of the Estimates to enter into contracts with the original employers and the new employers, to provide that the new employers shall, effective on the dates respectively specified in the Details become parties to Group Annuity Contracts specified in the said Details respectively in the place of the original employers with respect to employees to whom those contracts applied and who were transferred to the new employers and for the application of the contracts in respect of service with the original employers and the new employers and for such other terms as the Minister deems necessary for the maintenance and continuity of pension rights of the employees under those contracts, and to provide for payments in the current and subsequent fiscal years in accordance with the contracts so entered into out of the Government Annuities Account.....	1	
711	To authorize payments after as well as before the end of the current fiscal year out of the Government Annuities fund in discharge of obligations purported to have been made with respect to hourly-rate employees under paragraph 2 of subsection (b) of section 3 of Group Annuity Contract G565 entered into under the Government Annuities Act with the Subsidiary Companies of General Motors Corporation (U.S.A.) operating in Canada.....	1	
	VOCATIONAL TRAINING CO-ORDINATION ACT, 1942		
	Expenditures for vocational training under the Vocational Training Co-ordination Act, 1942, and agreements between the Dominion and Provinces approved by the Governor in Council, including vocational school assistance, projects for training of persons to fit them for gainful employment, or for defence industries, youth training, apprenticeship training, vocational training at secondary school level, foremanship and supervisory training and for training of members of His Majesty's Forces and other persons to fit them for skilled Armed Service occupations and to authorize the Minister of Labour to enter into an agreement with any Province on terms approved by the Governor in Council for such expenditures, as well as to provide for undischarged commitments of previous years—		
712	Training Payments to the Provinces—Further amount required.....	320,000	

SCHEDULE B—Continued

No. of Vote	Service	Amount	Total
		\$	\$
	LABOUR—Concluded		
	A—DEPARTMENT—Concluded		
	TERMINABLE SERVICES		
713	To provide for expenses that may be incurred in the arranging for and the movement of workers from outside Canada to work on farms and other essential industry in Canada when Canadian labour is not available to meet the need; including costs connected with the supervision and welfare of persons already immigrated to Canada under former authorized labour movements and administrative expenses connected therewith—Further amount required.....	131,200	
714	To authorize the Minister of Labour to arrange for a program of Rehabilitation for the Physically Handicapped, including the appointment of an Advisory Committee, and to provide for expenditures in connection therewith.....	48,000	
715	To provide for expenditures to be incurred on preparatory work to implement recommendations made by the National Advisory Council on Manpower.....	30,000	
	SPECIAL		
716	To authorize and provide for Federal contributions to reimburse the Province of Quebec for one half the expenditure for reconstruction of buildings of Technical and Marine Schools, Rimouski, Quebec, and one half the cost of re-equipping the Technical School in accordance with the agreement entered into between the Minister of Labour and the Province of Quebec (Revote).....	65,419	
	B—UNEMPLOYMENT INSURANCE ACT, 1940		
717	To reimburse the Unemployment Insurance Fund under Section 87F(1) of the Unemployment Insurance Act, 1940, as amended by Statute of 1950.....	40,000	
	LEGISLATION		
	THE SENATE		
718	To provide for the payment of the full sessional indemnity for the Third and Fourth Sessions of the Twenty-First Parliament, to Members of the Senate for days lost through absence caused by public business, by illness, or on account of death. Payments to be made as the Treasury Board may direct.....	19,000	
719	To provide, notwithstanding anything contained in the Senate and House of Commons Act, for the payment to each Member of the Senate who attended the first part of the present session which commenced on January 30, 1951, and ended on March 21, 1951, of an amount representing the actual transportation and living expenses of such Member while on the journey between Ottawa and his place of residence after the Easter adjournment of Parliament on March 21, 1951, and on the return journey from his place of residence to Ottawa at the end of the recess which commenced on that date, or at any other one time during the present session..	5,000	
720	General Administration—Further amount required.....	18,193	
			697,679

SCHEDULE B—Continued

No. of Vote	Service	Amount	Total
		\$	\$
	LEGISLATION— <i>Concluded</i>		
	HOUSE OF COMMONS		
721	To provide for the full sessional indemnity to Members of the House of Commons—days lost through absence caused by illness, official public business, or Order of the House, or on account of death, during the Third and Fourth Sessions of the Twenty-First Parliament notwithstanding anything to the contrary in Chapter 147 of the Revised Statutes, 1927, an Act respecting the Senate and House of Commons, or any amendment thereto. Payments to be made as the Treasury Board may direct.....	18,500	
722	To provide, notwithstanding anything contained in the Senate and House of Commons Act, for the payment to each Member of the House of Commons who attended the first part of the present session, which commenced on January 30, 1951, and ended on March 21, 1951, of an amount representing the actual transportation and living expense of such Member while on the journey between Ottawa and his place of residence after the Easter adjournment of Parliament on March 21, 1951, and on the return journey from his place of residence to Ottawa at the end of the recess which commenced on that date, or at any other one time during the present session.....	20,000	
723	General Administration—Estimates of the Clerk—Further amount required.....	45,000	
724	Estimates of the Sergeant-at-Arms—Further amount required.....	61,600	
			187,293
	MINES AND TECHNICAL SURVEYS		
	MINES BRANCH		
725	Mineral Resources Investigations—Administration, Operation and Maintenance—Further amount required.....	50,177	
726	Investigations of Radioactive Ores—Administration, Operation and Maintenance—Further amount required.....	15,025	
	GEOLOGICAL SURVEY OF CANADA		
727	Geological Surveys—Administration, Operation and Maintenance—Further amount required.....	150,314	
			215,516
	NATIONAL DEFENCE		
	PENSIONS AND OTHER BENEFITS		
728	To authorize the Governor in Council to increase the pension granted to SP 38171 Warrant Officer Class I William Edward Tyrell under the Militia Pension Act effective January 25, 1950, by including for purposes of calculation of his pension the amount of Dependents Allowance which would have been paid to his wife had she not been a member of the Women's Royal Canadian Naval Service during the period July 28, 1945 to October 20, 1945.....	1	
729	To authorize payment to Stuart Davis Houston under the Pension Act and the Veteran's Affairs Act of such benefits as would be awarded under the said Acts if the disabling condition had been incurred by him during service in World War 2.....	1,128	
730	Militia Pension Act—Government's contribution to the Permanent Forces Pension Fund—Further amount required.....	14,030,538	
			14,031,667

SCHEDULE B—Continued

No. of Vote	Service	Amount	Total
		\$	\$
	NATIONAL HEALTH AND WELFARE		
	NATIONAL HEALTH BRANCH		
	Health Services		
731	Immigration Medical Services—Further amount required....	154,460	
732	Industrial Health—Further amount required.....	17,200	
	WELFARE BRANCH		
733	Old Age Pensions and Pensions to the Blind—		
	Administration—Further amount required.....	31,260	
734	Old Age Security—		
	To conduct the necessary registration for universal old age		
	pensions and to organize and administer the payment		
	of such pensions.....	508,500	711,420
	NATIONAL REVENUE		
	CUSTOMS AND EXCISE DIVISIONS		
735	Ports, Outports and Preventive Stations—		
	Construction or Acquisition of Buildings, Works, Land and		
	New Equipment—Further amount required.....		138,700
	POST OFFICE		
736	Departmental Administration—Further amount required.....	59,000	
737	Operations—Including salaries and other expenses of Staff Post		
	Offices, District Offices, Railway Mail Service Staffs, and		
	supplies, equipment and other items for Revenue Post		
	Offices, also including Administration—Further amount		
	required.....	2,411,975	
738	Transportation—Movement of Mail by Land, Air and Water,		
	including Administration—Further amount required.....	100,000	2,570,975
	PRIVY COUNCIL		
	PRIVY COUNCIL OFFICE		
739	General Administration—Further amount required.....		75,000
	PUBLIC PRINTING AND STATIONERY		
740	Printing and Binding the Annual Statutes—Further amount		
	required.....	10,000	
741	Plant Equipment and Replacements—Further amount required.	138,650	
742	Distribution of Official Documents—Further amount required..	10,000	
743	Printing and Binding Official Publications for sale and dis-		
	tribution to Departments and the Public—Further amount		
	required.....	200,000	358,650

SCHEDULE B—Continued

No. of Vote	Service	Amount	Total
		\$	\$
	PUBLIC WORKS		
	ARCHITECTURAL BRANCH		
744	Ottawa—Maintenance and Operation of Public Buildings and Grounds, including repairs and upkeep, rents, furnishings, heating, etc.—Further amount required.....	431,794	
745	Maintenance and Operation of Public Buildings and Grounds, other than at Ottawa, including repairs and upkeep, rents, furnishings, heating, etc.—Further amount required.....	180,007	
	Acquisition, Construction and Improvements of Public Buildings		
	Construction, acquisition, major repairs and improvements of, and plans and sites for, public buildings listed in the Details of the Estimates, provided that Treasury Board may increase or decrease the amount within the vote to be expended on individual listed projects—Further amounts required—		
746	Newfoundland.....	142,000	
747	Nova Scotia.....	140,000	
748	Prince Edward Island.....	12,000	
749	New Brunswick.....	21,000	
750	Quebec.....	238,000	
751	Ottawa.....	30,000	
752	Ontario (Other than Ottawa).....	267,000	
753	Manitoba.....	300,000	
754	Alberta.....	100,000	
755	British Columbia.....	1	
	ENGINEERING BRANCH		
	Dredging		
756	Maintenance and Operation of Plant and Contract and Day Labour Works, in the amounts by Divisions as detailed in the Estimates—Further amount required.....	125,700	
757	New Plant, in the amounts by Divisions as detailed in the Estimates—Further amount required.....	16,000	
	Locks and Dams		
758	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required.....	15,000	
	Acquisition, Construction and Improvements of Harbour and River Works		
	Construction, acquisition, major repairs and improvements of, and plans and sites for harbour and river works listed in the Details of the Estimates, provided that Treasury Board may increase or decrease the amount within the vote to be expended upon individual listed projects—Further amounts required—		
759	Newfoundland.....	137,600	
760	Nova Scotia.....	600,000	
761	Prince Edward Island.....	263,000	
762	New Brunswick.....	186,000	
763	Quebec.....	809,000	
764	Ontario.....	990,000	
765	Manitoba.....	10,000	
766	Saskatchewan, Alberta and Northwest Territories.....	125,000	
767	British Columbia and Yukon.....	1,400,000	
768	Harbours and Rivers Generally—		
	Repairs and upkeep for the maintenance of services, including reconstruction and replacements as detailed in the Estimates, no new works to be undertaken—Further amount required.....	85,000	

SCHEDULE B—Continued

No. of Vote	Service	Amount	Total
		\$	\$
	PUBLIC WORKS—Concluded		
	ENGINEERING BRANCH—Concluded		
	Generally		
769	Protection Works Generally—To provide for remedial works where damages are caused by, or endanger, navigation or Federal Government structures—Further amount required.	200,000	
	GENERAL		
770	National Gallery of Canada—Further amount required.....	10,000	
771	Miscellaneous works not otherwise provided for, not more than \$7,000 to be expended upon any one work—Further amount required.....	50,000	
772	Portrait of the Late Sir Charles Fitzpatrick (Revote \$1,500)...	1,700	
			6,885,802
	RESOURCES AND DEVELOPMENT		
	NATIONAL PARKS BRANCH		
773	National Parks and Historic Sites Services— Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required.....	219,000	
	ENGINEERING AND WATER RESOURCES BRANCH		
	Water Resources Division— Water Resources Division, including the Administration of the Dominion Water Power and Irrigation Acts—		
774	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required.....	10,000	
	Projects Division—		
775	To provide for a contribution to the cost of constructing a mining road between Black Bay and Ace Lake in Saskatchewan in accordance with the terms of an agreement to be entered into between Canada and the Province of Saskatchewan.....	50,000	
	Trans-Canada Highway Division—		
776	Notwithstanding the Trans-Canada Highway Act, to authorize and provide for a payment to the provinces of British Columbia and New Brunswick, which have entered into an Agreement with Canada for construction of a part of the Trans-Canada Highway, in respect of construction of the Highway carried out between December 10, 1949, and the day on which these provinces respectively signed the Agreement with Canada, in accordance with the regulations of the Governor in Council; the amount paid to each province, however, not to exceed fifty per centum of the cost to the province of the said construction as determined by the Governor in Council; the maximum amount authorized to be expended by Section 7 of the Trans-Canada Highway Act to be decreased to the extent of any amount paid pursuant to this Vote.....	210,000	

SCHEDULE B—Continued

No. of Vote	Service	Amount	Total
		\$	\$
	RESOURCES AND DEVELOPMENT—Concluded		
	NORTHERN ADMINISTRATION AND LANDS BRANCH		
777	Northern Administration Division— Administration—Further amount required.....	7,350	
	Northwest Territories, including Wood Buffalo Park and Eskimo Affairs—		
778	Operation and Maintenance—Further amount required..	22,900	
779	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required..	16,740	
	Yukon Territory, including Forest Conservation—		
780	Operation and Maintenance—Further amount required..	95,300	
781	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required..	35,000	
	FORESTRY BRANCH		
	Forestry Operations Division, including Forest Insects Control Board—		
782	Administration, Operation and Maintenance—Further amount required.....	25,000	
783	To provide for contributions to the provinces for assistance in forest inventory and reforestation in accordance with agreements to be entered into by Canada and the provinces.....	1,025,000	
			1,716,290
	ROYAL CANADIAN MOUNTED POLICE		
	Land Services—Arising out of the Royal Canadian Mounted Police Act, enforcement of Federal Statutes generally, and other incidental expenses—		
784	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required.....	810,070	
	Aviation Services—Arising out of the Royal Canadian Mounted Police Act, enforcement of Federal Statutes generally, and other incidental expenses—		
785	Operation and Maintenance—Further amount required..	13,523	
			823,593
	TRADE AND COMMERCE		
	GENERAL ADMINISTRATION		
786	Departmental Administration including authority for an additional Deputy Minister for the Department of Trade and Commerce, to be appointed by the Governor in Council, to be called the Associate Deputy Minister of Trade and Commerce; to hold office during pleasure and to have and exercise under the Deputy Minister of Trade and Commerce such powers, duties and functions of the Minister of Trade and Commerce as may be specified by such Minister, at a salary of \$12,000 per annum; Order in Council P.C. 1481 of March 22, 1951, appointing Mitchell W. Sharp as such Associate Deputy Minister on the terms therein set forth, is ratified—Further amount required.....	40,800	
787	Trade Commissioner Service, including payment of compensa- tion to Trade Commissioners for damage to and loss of furniture and effects, under regulations approved by the Governor in Council—Further amount required.....	98,700	

SCHEDULE B—Continued

No. of Vote	Service	Amount	Total
		\$	\$
	TRADE AND COMMERCE—Concluded		
	EXHIBITIONS		
788	Exhibitions Generally—Further amount required.....	55,000	
789	Canadian International Trade Fair, 1952—To provide for preparatory expenses of a Canadian International Trade Fair in 1952, the remaining amount required to be provided in the Main Estimates for 1952-53.....	312,020	
	STANDARDS DIVISION		
790	Weights and Measures Inspection Services—Operation and Maintenance—Further amount required.....	10,600	
	DOMINION BUREAU OF STATISTICS		
791	Census of Population and Agriculture and the 1951 Census of Distribution—Further amount required.....	261,000	
	CANADA GRAIN ACT		
792	Canadian Government Elevators—Operation and Maintenance—Further amount required.....	80,000	
	SPECIAL		
793	To provide for payments by the Government of Canada under agreement dated July 10, 1950, between the Government of Canada and the Government of Manitoba, establishing the Greater Winnipeg Dyking Board (Revote)—Further amount required.....	430,793	1,283,913
	TRANSPORT		
	A—DEPARTMENT		
794	Departmental Administration—Further amount required.....	70,779	
	CANAL SERVICES		
795	Canal Services—		
	Operation and Maintenance—Further amount required....	155,000	
796	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required.....	1,489,597	
797	To provide for expenses in connection with the St. Lawrence Ship Canal Surveys and Investigations—Further amount required.....	5,000	

SCHEDULE B—Continued

No. of Vote	Service	Amount	Total
		\$	\$
	TRANSPORT—Continued		
	A—DEPARTMENT—Continued		
	MARINE SERVICES		
	Marine Service Steamers—		
798	Operation, Maintenance and Repairs—Further amount required.....	320,355	
799	Construction or Acquisition of Vessels and New Equipment—Capital—Further amount required.....	139,500	
	Aids to Navigation—		
800	Administration, Operation and Maintenance—Further amount required.....	60,000	
	Nautical Services—		
801	Operation and Maintenance, including grants and contributions, as detailed in the Estimates; rewards for saving life from vessels in distress; subsidies to salvage companies, and the payment of expenses, including excepted expenses, incurred in respect of Canadian distressed seamen as defined in Section 296 of the Canada Shipping Act—Further amount required.....	27,765	
	Pilotage Service—		
802	Construction or Acquisition of Buildings, Works and New Equipment.....	119,500	
	River St. Lawrence Ship Channel Service—		
803	Administration, Operation and Maintenance — Further amount required.....	500,000	
804	To provide for the replacement of machinery and equipment destroyed by fire in May, 1950, at L'Ecole d'Arts et Metiers de Rimouski, Que: Gross estimated cost.....\$150,950 Less: Proceeds of insurance, on machinery and equipment so destroyed, which the Department is hereby authorized to pay out of the Department of Transport Suspense Account for the purposes of this Vote.....60,000	90,950	
	RAILWAY AND STEAMSHIP SERVICES		
	Canadian Government Railways—		
805	Construction of New Dock and Terminal Facilities at Port-aux-Basques, Nfld.—Capital—Further amount required.....	500,000	
806	To provide towards the cost of surveys of Newfoundland Railway properties entrusted to the Canadian National Railway Company.....	15,000	
	AIR SERVICES		
	Telecommunications Division		
	Airways and Airports—Radio Aviation Services—		
807	Construction or Acquisition of Buildings, Works, Land and New Equipment—Capital—Further amount required.....	494,000	
	Radio Act and Regulations—		
808	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required.....	57,700	
	Northwest Communication System—		
809	Construction or Acquisition of Buildings, Works, Land and New Equipment—Capital—Further amount required..	131,254	

SCHEDULE B—Continued

No. of Vote	Service	Amount	Total
		\$	\$
	TRANSPORT—Concluded		
	A—DEPARTMENT—Concluded		
	AIR SERVICES—Concluded		
	Meteorological Division		
	Meteorological Services—		
810	Construction or Acquisition of Buildings, Works, Land and New Equipment—Further amount required.....	14,000	
	Civil Aviation Division		
	Airways and Airports—		
811	Airway and Airport Traffic Control—Further amount required.....	82,018	
	Construction Services—		
812	Construction or Acquisition of Buildings, Works, Land and New Equipment—Capital—Further amount required.....	629,400	
813	Contributions, subject to the approval of the Governor in Council, to assist municipalities in the development of and improvement to airports, the sites of which have been provided by such municipalities—Further amount required	15,000	
814	Contributions, as specified in the details of the Estimates, to other Governments or International Agencies for the operation and maintenance of airports, air navigation and airways facilities—Further amount required.....	17,210	
815	Contribution towards the cost of construction of a landing strip in Goldfields, Saskatchewan area, provided Eldorado Mining and Refining Limited enters into an Agreement with His Majesty to furnish the site and to undertake the construction.....	80,000	
	B—GENERAL		
	CANADIAN MARITIME COMMISSION		
816	Steamship Subventions for Coastal Services, as detailed in the Estimates—Further amount required.....	8,000	
817	Steamship Subventions for Ocean Services— Pacific Ocean— Canada, New Zealand and Australia, service between, and if either or both the Governments of Australia and of New Zealand should request or authorize the Canadian Maritime Commission to act on its or their behalf in contracting for this service, the Canadian Maritime Commission is hereby empowered so to act.....	166,667	
			5,188,695
	VETERANS AFFAIRS		
818	Departmental Administration—Further amount required....	37,000	
819	Canadian Pension Commission—Administration Expenses— Further amount required.....	47,000	
	PENSIONS AND OTHER BENEFITS		
820	Pensions for Disability and Death, including pensions granted under the authority of the Civilian Government Employees (War) Compensation Order P.C. 45/8848 of 22nd November, 1944, which shall be subject to the Pension Act—Further amount required.....	1,570,000	

SCHEDULE B—*Concluded*

No. of Vote	Service	Amount	Total
		\$	\$
	VETERANS AFFAIRS—<i>Concluded</i>		
	PENSIONS AND OTHER BENEFITS—<i>Concluded</i>		
821	Assistance Fund (War Veterans' Allowances)—Further amount required.....	100,000	
822	To provide financial assistance after the thirty-first day of May, 1951, in accordance with regulations to be made by the Governor in Council, to unemployable veterans who are in receipt of pensions under the Pension Act for a disability which is a factor contributing to their unemployability; such financial assistance to be exempt from income tax under the provisions of the Income Tax Act.....	2,000,000	
	SOLDIER SETTLEMENT AND VETERANS' LAND ACT		
823	To authorize and provide, subject to the approval of the Governor in Council in each case, for the completion of necessary remedial work to houses and services constructed under the 1945 building program (Revote)—Further amount required.....	32,000	3,786,000
			143,672,180
	LOANS, INVESTMENTS AND ADVANCES		
	CENTRAL MORTGAGE AND HOUSING CORPORATION		
824	To provide for the restoration of the special account in the Consolidated Revenue Fund established by Section 35 of the National Housing Act by the amount paid out of the special account in respect of housing projects undertaken jointly with the governments of the provinces during the fiscal year 1950-51.....	1,500,000	
	DEFENCE PRODUCTION		
825	To authorize a further amount of \$50,000,000 for the purpose of increasing from \$100,000,000 to \$150,000,000 the amount by which expenditures charged to the Defence Production Revolving Fund may in the current and subsequent fiscal years exceed receipts shown therein, as provided for in Section 16 of the Defence Production Act.....	50,000,000	51,500,000
	Total.....		195,172,180

OTTAWA: Printed by EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
Law Printer to the King's Most Excellent Majesty.

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*There are a certain number of Acts, in force before 1927, which have not been repealed and have not been consolidated for the Revised Statutes, 1927. Therefore as those Acts are still in force they are included in this Table.

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